IN THE HON'BLE HIGH COURT OF JUDICATURE

AT BOMBAY, GOA BENCH, AT PORVORIM

Contempt Petition No. 2021

In

Writ Petition No. 347/1996

People for Animals – Goa …Petitioner

V/s

Shri Parimal Rai & Ors …Respondents/Contemnors

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Place: Porvorim

Date: 18.08.2021 Advocate for the Petitioner

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SYNOPSIS AND CHRONOLOGY

OF DATES AND EVENTS

This contempt petition is being filed in view of the continuation of 'Dhirio' in Goa, despite the directions of this Court in WP 347/1996 (*People for Animals vs State of Goa & Ors*) dated 20/12/1996. This Hon'ble Court had held Dhirios to be illegal and in clear violation of the provisions of the Prevention of Cruelty of Animals Act, 1960 and directed the relevant authorities to take immediate steps to ban all types of animal fights, including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve.

On two occasions, in 2006 and in 2015, the Petitioners approached this Hon'ble Court invoking its contempt jurisdiction to ensure that recurring *dhirio* events are investigated and put an end to. Upon receiving assurances from the authorities that they would be vigilant, the High Court disposed of the contempt petitions, directing enforcement of the prohibitory orders and urged that a larger, dedicated police force be made available to ensure that bull fighting is stopped and prevented altogether. The petitioner submits that thereafter bull fights declined.

The Petitioner submits that recently, since the COVID-19 preventive lockdowns began to be lifted, there has been an unprecedented increase in bull fights in the state. Hence the petitioner is constrained to return to the High Court once again, because despite all efforts, the commitment and action needed by the respondents to proactively enforce the ban on bull fights, appears to be lacking. In fact, in the past one year, emboldened by the inaction of the authorities, *dhirios* have become a regular occurrence in some villages in Goa – notably in Cansaulim, Colva, Utorda, Benaulim and Varca in South Goa and Arambol and Mandrem in North Goa – with several bull-fights being held on a weekly basis. Despite the presence of vast crowds watching these bull fights, the Government and the police do not appear to be aware of the same. At any rate there has been little effort to stop them. Hence this Contempt Petition.

LIST OF DATES AND EVENTS

Sr. No.	Date	Particulars of events or documents if any	Annexure and Page
1.	1960	Prevention of Cruelty to Animals Act, 1960, enacted by Parliament	
2.	1996	Petitioner files W.P. No. 347 of 1996, *People for Animals v. State of Goa and Ors*., seeking this Hon'ble Court's directions to curb the practice of *dhirio*/ bull-fighting, conducted in violation of the provisions of the Prevention of Cruelty to Animals Act, 1960	
3.	20.12.1996	Judgement of this Hon'ble Court dt. 20.12.1996 in W.P. 347/1996 finds *dhirio*/ bull-fighting events to be illegal and in contravention of the PCA, 1960, and prohibits these events	**Exh. B,** at pgs ---

4.	1997	In an S.L.P. filed by the All Goa Bull and Buffalo Owners Association in the Hon'ble Supreme Court, against the order dt. 20.12.1996 of this Hon'ble Court, the Supreme Court refused to interfere and dismissed the SLP	
5.	2006	Petitioner files C.P. 20/2006 in W.P. 347/1996 to ensure the investigation and the stoppage of *dhirio* events	
6.	12.12.2008	Order of this Hon'ble Court disposing C.P. 20/2006, directing for enforcement of the Court's orders prohibiting *dhirio*, and urging for more police officials to be deputed to curbing such events	**Exh. C-1,** at pgs ---
7.	2015	Petitioner files C.P. C.P. 21/2015 in W.P. 347/1996 to ensure the investigation and the stoppage of *dhirio* events	
8.	17.03.2016	Order of this Hon'ble Court disposing C.P. 21/2015, being	**Exh. C-2,** at pgs ---

		satisfied with the actions taken by the Respondents in compliance with the Court's orders prohibiting *dhirio*	
9.	Jan. 2021	Surge in the number of *dhirio* events organized and conducted in Goa post the relaxation of COVID lockdowns	
10.	February 2021	Police complaints about bull-fighting/ *dhirio* events made to the Respondent Authorities by the Petitioner and other animal welfare organizations	**Exh. F Colly,** at pgs ---; **Exh. G Colly,** at pgs ---
11.	15.02.2021	Due to the inaction of the Respondent authorities regarding *Dhirio* complaints made, Petitioner sends a legal notice to the Respondents about its intention to move court in the case of continued inaction against *Dhirio* events	**Exh. G Colly,** at pgs ---
12.	March-May 2021	Number of *dhirio* events decrease, perhaps due to COVID – 19 related State-wide curfews	
13.	July – Aug. 2021	Resurgence of *dhirio* events post relaxation of State – wide curfews	

14.	16.08.2021	Petitioner sends a letter dt. 16.08.2021 to the Respondents, intimating them about its intention to initiate contempt proceedings	**Exh. G Colly,** at pgs ---
15.	18.08.2021	Present Contempt Petition is filed	

IN THE HON'BLE HIGH COURT OF JUDICATURE

AT BOMBAY, GOA BENCH, AT PORVORIM

Contempt Petition No. 2021

In

Writ Petition No. 347/1996

People for Animals - Goa,
a Society registered under
The Societies Registration Act, 1860,
through its President Smt. Norma Alvares
with Reg. No 46/Goa/99,
having office at G-8, St. Britto Apartments,
Feira Alta, Mapusa, 403507, Goa,
.....Petitioner

V/s

1. Shri Parimal Rai, Chief Secretary,
   Government of Goa,
   Having Office at Secretariat, Porvorim, Goa–403521.

2. Mr.Kuldeep Gangar,
   Secretary, Department of Animal Husbandry
   and Veterinary Science, Secretariat,
   Porvorim, Goa- 403521.

3. Mr.Ajit Roy,
   District Collector, North Goa,
   (Additionally) North District,
   Society for Prevention of Cruelty to Animals,
   Having Office at Collectorate Building,
   Opposite Municipal Garden,
   Panaji, Goa – 403001.

4. Ms. Ruchika Katyal, IAS,
   District Collector, South Goa,
   Head of South District SPCA,
   Matanhy Saldanha Administrative Complex,
   Margao, South Goa District, Goa - 403601.

5. Shri Mukesh Kumar Meena, IPS
   Director General of Police,
   Having Office at Police Headquarters,
   Panaji, Goa – 403001.

6. Shri Utkrisht Prasoon, IPS
   Superintendent of Police (North Goa)
   Panaji, Goa – 403001.

7. Shri A K Gawas, IPS,
   Superintendent of Police (South Goa)
   Old office Supt. Of Police,
   Margao, Goa - 403601.

..... Respondents/Contemnors

(Above are the registered addresses of the parties)

To,

The Hon'ble Chief Justice and Companion Judges,

Bombay High Court at Panaji, Goa

THIS HUMBLE PETITION OF THE PETITIONER MOST RESPECTFULLY SHOWS

CONTEMPT PETITION UNDER ARTICLE 215 OF THE CONSTITUTION OF INDIA

1. The petitioner is an NGO, registered under the Societies Registration Act, 1860. The petitioner is engaged in the welfare of animals and in educating the general public on the need to treat animals with love and compassion, thereby complying with the fundamental duties enshrined in the Constitution and embodied in the laws of this land. A copy of the registration certificate and resolution of the petitioner is annexed as **Exhibit A**.

2. Petitioner states that despite clear directions from this Hon'ble Court in Writ Petition No. 347 of 1996 (*People for Animals vs State of Goa & Ors*) banning the organising of bullfights in the State and directions to the Respondents to take effective steps to enforce the ban, the respondent authorities-

particularly those responsible for enforcing law and order-are turning a complete blind eye to such illegal organising of bullfights, due to which there is an unprecedented rise in bullfights in the state recently which has constrained the petitioner to file the present contempt petition.

3. Respondent No. 1 is the Chief Secretary of the State of Goa and also holds the charge as the Secretary of the Home Department. As the administrative in-charge he is required to issue necessary directions to the police to take effective steps to curb the illegal organising of the bull fights. Respondent No.2 as the Secretary of the Animal Husbandry Department, is directly responsible for animal welfare in the state of Goa. Respondents No. 3 and 4 are the Collectors for North and South Districts of Goa, respectively, within whose jurisdictions large numbers of bull fights are being routinely organised. Both of these respondents also head the respective District Societies for Prevention of Cruelty to Animals, known as the SPCAs. Respondents Nos. 5, 6 and 7 are the senior most law enforcing police officers in the State of Goa. All three of them are duty bound to implement the laws related to the prevention of cruelty to animals. In particular, by the concerned judgement of this Hon'ble Court, they have also been entrusted with the responsibility of prohibiting

and preventing bullfights and all other fights of like nature involving animals in the State of Goa.

Bull Fighting banned by the Hon'ble High Court of Bombay at Goa:

4. In 1996, the petitioner herein had filed a Writ Petition No. 347 of 1996 (*People for Animals vs State of Goa & Ors*) drawing the attention of this Hon'ble Court to the prevalence of bullfights (*dhirios*) in Goa. The petitioner had alleged that bullfights are inherently cruel, and in violation of the Prevention of Cruelty to Animals Act, 1960 (hereinafter "PCA"). The petitioner had further drawn to the attention of this Hon'ble Court that organisation of fights between animals is specifically prohibited as per **Section 11 (n)** of the PCA which states punishes "*anyone who organises, keeps uses or acts in the management or, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes.*" The petitioner had prayed for appropriate directions from this Hon'ble Court to ensure that bull fights are stopped forthwith.

5. By its Judgement dated 20/12/1996 passed in Writ Petition No.347/1996, this Hon'ble Court held that

bullfights or dhirios are in fact in contravention of the provisions of the PCA and are therefore illegal and must be banned. This Hon'ble Court directed as follows:

"*The bull fights or 'dhirios' are in contravention of the provisions of the said (*PCA*) Act &, therefore, illegal & cannot be permitted to be organized. The respondents are, therefore, directed to take immediate steps to ban all types of animal fights, including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms.*"

Copy of the judgment dated 20th December 1996 is annexed as **Exhibit B**.

6. The said judgement was appealed by the All Goa Bull and Buffalo Owners Association who were the interveners in the W.P. No.347/1996 before the Hon'ble Supreme Court of India. The Hon'ble Apex Court refused to interfere and the special leave petitions were dismissed, confirming the ban on *dhirio*, as law, which prevails till today.

7. Despite the judgment of this Hon'ble Court, bullfights have periodically increased. On two

occasions, in 2006 and in 2015, the Petitioners approached this Hon'ble Court invoking its contempt jurisdiction to ensure that recurring *dhirio* events are investigated and put an end to. Upon receiving assurances from the authorities that they would be vigilant, the High Court disposed of the contempt petitions, directing enforcement of the prohibitory orders and urged that a larger, dedicated police force be made available to ensure that bull fighting is stopped and prevented altogether. Copies of orders dated 12/12/2008 and 17/03/2016 respectively are attached here and marked, respectively, as **Exhibit- C1 and C2**.

8. The petitioner submits that thereafter bull fights declined. However, ever since the COVID-19 preventive lockdowns began to be lifted, there has been an unprecedented increase in bull fights in the state. Hence the petitioner is constrained to return to the High Court once again, because despite all efforts, the commitment and action needed by the respondents to proactively enforce the ban on bull fights, appears to be lacking. In fact, in the past one year, emboldened by the inaction of the authorities, *dhirios* have become a regular occurrence in some villages in Goa – notably in Cansaulim, Colva, Utorda, Benaulim and Varca in South Goa and Arambol and Mandrem in North Goa – with several bull-fights being held on a weekly basis. Despite the

presence of vast crowds watching these bull fights, the Government and the police do not appear to be aware of the same. At any rate there has been little effort to stop them. A grave situation is reached, as recent news reports state that cock fighting is also commencing in the State of Goa.

9. The following are some of the recent news reports:

i) **August 15th 2021**: "Despite ban and objections from animal lovers, Dhirios were held on Saturday at nearly eight different places in Salcette's coastal belt. However, Colva police managed to register an FIR against only four persons in two separate incidents. … The three police vans which arrived at the dhirio sites were forcefully sent back by bullfight lovers" (Herald)

ii) **August 13th, 2021**: "A Politician from Salcette is planning to organise dhirios at five different places simultaneously to celebrate the birthday of his family member." (Herald)

iii) **August, 11th, 2021**: "Four Bullfighting events in three days at Cansaulim". (Times of India)

iv) **August 10th, 2021**: Report on regular bull fights under the jurisidiction of Colva Police Station in Times of India, Goa.

v) **March 1st, 2021**: "Even as the state is grappling with the issue of animal cruelty by way of bullfights, roosters are being compelled to engage in fighting." (Times of India)

vi) **19th February 2021**: "With a sharp rise in cases of bullfights (dhirios) more than 30 incidents are reported to have taken place within the jurisdiction of Colva police station itself since the beginning of 2021 – in less than six weeks – at an average of more than five bullfights per week." (Times of India)

vii) **9th February 2021:** "A hastily typed Whatsapp message, peppered with typos, canvassing a contest between 'Rocky' and 'Tyson' near Goa's Siridao beach, isn't an invite to a boxing match. More likely, it is a hush-hush call to witness an illegal bullfight between two well-groomed fighting bulls, a rage in Goa's coastal underground." (www.daijiworld.com- a portal linking the west coast of India)

viii) **19th January 2021**: "*Over the weekend and spilling over this week too, bull owners and bullfight (dhirio) lovers in Colva had a gala time watching the animals engage in the gory sport. Colva police, on the other hand, were seemingly unaware of anything. On January 16 and 17,*

bullfights were held in Seraulim. On Monday at 5.15pm dhirios were organised in a field near Vaddy in Benaulim. Hundreds of two wheelers and a few four wheelers were parked on the road side leading to the beach and also the fields. And with no police in sight, thousands of bullfight lovers could be seen jeering and cheering the raging bulls" (Times of India)

Copies of the said news reports are attached as **Exhibit D colly**.

10. The petitioner submits that many of these dhirios have resulted in near-fatal injuries to the animals, including the death of some of the bulls.

i) In January 2021, two bulls died in two separate dhirio incidents in Mandrem as per a news report dated 28.01.2021 in Times of India.

ii) On 2nd February, 2021, during a bull fight event in Utorda fields, the losing bull was harassed to continue the fight so much that the frightened bull ran across the fields towards the Utorda railway crossing. The railway crossing being closed, the bull rammed against the metal barrier pipe completely twisting and damaging it and was severely injured in the process. The bull died soon after.

iii) On 16th February 2021 a near fatal bull-fight took place at Colva.

Copies of the news reports are annexed as **Exhibit E colly.**

11. The petitioner further submits that announcements of fights are published regularly across many social media platforms. The petitioner has documented certain profiles/groups on Facebook and Social Media, and just a quick review of the recent activities on these groups confirms widespread, weekly occurrence of *Dhirio* in Goa. Some of the social media records are:

i. Facebook Groups:

a. **Cenaboys Bullfighting Goa** (Public Group with 706 members): Around ten videos of different live *Dhirio* events have been posted in this group just in the month of January 2021. [https://www.facebook.com/groups/597482247717431]

b. **Bullsfight Goa Official** (Public Group with 2800 members): https://www.facebook.com/BullFight-Goa-Official-349119838621913

c. **Bullfights Goa** (Private Group 6.5k members): Several daily/weekly posts of bull fights. [https://www.facebook.com/groups/1429547913731648]

d. **Goan Bullfight DHIRIYO lovers** (Public Group 1.2k members): Active group with several weekly posts/videos of live bull fights across Goa. [https://www.facebook.com/groups/689884555260909]

e. **Goan BullsFight** (Private Group with 3.6k members): The group is primarily used to advertise trade of bulls bred for Dhirio. [https://www.facebook.com/groups/1333375863521954]

ii. **Instagram Profiles:**

a. **goan_bullfight_lover** (Over 1600 followers, started in May 2020 with 470 posts with pictures and videos of bull fights, and bulls for sale.)

b. **goan_dhirio_official** (442 followers, started on 14th Jan 2021, with 44 posts of bulls and fight preps with pictures and videos.)

c. **goan_bull_fight** (292 followers, started on 14th Jan 2021, with 24 posts of bulls and fight preps with pictures and videos.)

d. **bull_fight_champs_of_goa** (1050 followers, started on 19th February 2020 with 131 posts of bulls and bull fights).
e. **_goan_bull_fight_lovers_** (239 followers, started on 6th April 2020 with 105 posts of bulls and fights.)

All of the above social media activity appears to be recent and is only meant to be a representative account of the actual scale of *dhirio* fights, which are much more widespread.

12. The petitioner further submits that apart from the petitioner organisation, other organisations and citizens are also raising concerns with the respondent authorities on the unprecedented rise in bullfights and non-implementation of the High Court orders. The petitioner and other citizens/organisations have lodged many police complaints against reported dhirio events in Cansaulim, Verna, Colva, Benaulim, Chandor and Curtorim. Complaints from the Govansh Raksha Abhiyan Goa to the Collector (North) dated 03.02.2021 and to the Collector (South) dated 11.02.2021 are enclosed as **Annexure F colly**. Petitioner craves leave to produce copies of complaints by other animal welfare organisations and concerned citizens to the authorities if required by this Hon'ble Court.

13. No doubt the police have acted in a few of the complaints and some arrests have been made, but the majority of the complaints go unrecognised. Even when citizens have been able to give some advance notice of impending fights, the police have no preventive action plan. They generally say that they are short staffed. Moreover, the fights have shifted from late afternoons to early morning to escape the eye of the police.

14. By letter dated 25.01.2021 addressed to the respondents, the petitioner sought "*appropriate action both on the front of enforcement of the law but also to build a constructive dialogue through campaigns and social media messaging to educate people of the ills associated with dhirio.*" Finding no response the petitioner submitted a legal notice dated 15.2.2021 of its intention to move the court as the status quo of inaction stands unaltered. Copies of some of the complaints made by the petitioner in the past few months, are enclosed as **Exhibit G colly**.

15. Petitioner is aware that the Director of Animal Husbandry issued letters dated 05.03.2021 to the SP (South) and (North) seeking preventive vigilant patrolling of areas where bull fights take place from early morning 6 a.m onwards to prevent bullfights. It is not known whether this direction is acted upon as reports of bullfights constantly continue to be

received by the petitioner. Copies of the letter dated 5.3.2021 are annexed at **Exhibit H colly**.

16. For a short while, and perhaps due to the curfew imposed by the State due to the resurgence of Covid, the number of bull fights declined. However, with the relaxation of restrictions there is once again a resurgence of dhirios. In the past one month alone, petitioner is informed that several dhirios have taken place as follows:

i) At 4.30 pm on 12th July - near Patem, Majorda.
ii) At 2.00 pm on 13th July - near St. John Baptist Church in Benaulim.
iii) At 4.00 pm on 25th July - in Seraulim, Colva.
iv) At 5.30 pm on 7th August - in Dabashree Ground, Cansaulim.
v) Again at 3.00 pm on 8th August - in Dabashree Ground, Cansaulim.
vi) At 3.00 pm and 4.00 pm on 9th August - two separate dhirio bull fights one, between bulls named as “Foreigner” and “Mavali” and the second, between bulls Rickshakar and Hareaband.
vii) Between 8 am and 9 am on 14th August - 8 bull fights at Fatrade, Varca

17. The Petitioner humbly submits that the incidents of dhirios listed in this contempt petition are mere

illustrative examples of incidents brought to its notice by various citizens, the real scale of which is much larger. On an average, as reported by citizens, 10-15 dhirio fights are taking place weekly in Salcette alone. In addition there are more clandestine dhirio events in Pernem in the North. It is common knowledge that the weekly winning bulls from local fights in the North and South Goa compete with each other, in what becomes an all-state event.

18. Petitioner submits that the Respondents in Writ Petition no. 347/1996, despite being directed to take steps towards enforcement of the ban on bullfights, and despite the assurances they have subsequently given to this Hon'ble Court, have not lived up to their assurances and have acted in dereliction of their duties. They have wilfully and deliberately ignored and violated the orders of this Hon'ble Court. Allowing bull fights to be held despite advance notices from concerned citizens, non-investigation of the persons involved in holding bull fights when such facts are easily available in various fora if rudimentary search is made and maintaining zero vigilance on open grounds regularly used for bull fights, has emboldened those who wish to violate the law. The failure on the part of the State Government to implement the ban on bullfights constitutes contempt of court. The Respondents

have treated the orders of this Hon'ble Court with laxity and lethargy.

19. The petitioner is constrained to come before this Hon'ble Court in contempt of the same order for the third occasion, as despite our regular communications and complaints, there are no proactive prevention measures to stop bull fights. Lack of a dedicated effort to curb bull fights is tantamount to willful disobedience of the judgement of the Hon'ble High Court dated 20.12.1996 which is the law of the State, leaving contempt as the only option before us.

GROUNDS

20. The Petitioner submits that this contempt petition is being filed on the following specific legal and constitutional grounds made out on facts as stated above:

a. The continuation of *Dhirio* in the State of Goa is a complete violation of this Hon'ble Court's directions in its judgment dated 20/12/1996 passed in Writ Petition No.347/1996. The ban against Dhirio is clearly spelled out in the PCA, 1960 and reiterated in the 1996 Goa High Court decision in *People for Animals*, despite which police action to prevent, stop and arrest organisers of Dhirio is negligible.

b. Recent news reports have clearly documented the unprecedented rise in Dhirio in Goa recently. Numerous complaints have been made to the relevant authorities. However, negligible action is taken and the cruelty to the animals continues unabated.

c. The petitioner is constrained to approach this Hon'ble Court in contempt proceedings for the third time in two decades, demonstrates that both the law, the original 1996 decision and the two orders in Contempt after that, stand disobeyed.

d. The Petitioner submits that the lack of enforcement of the orders to ban dhirio appears to be a wilful act, as despite years of correspondence and dialogue the police authorities appear absolutely disinclined to enforce an absolute ban on dhirios.

e. The wilful disobedience of this Hon'ble Court's orders and the provisions of law by the Respondent Authorities is tantamount to an abject dereliction of duty arising both from the statute and the ruling of this Court, compounding the crime of contempt of court.

f. By repeated failures to enforce the ban on dhirio, and to permit the continuation of the suffering and pain caused to dhirio bulls, the inaction of the

respondents is a violation of the Constitution of India and of citizens' duties towards them.

21. The Petitioner submits following immediate measures that need to implemented urgently:

i) This Hon'ble Court may be pleased to seek a detailed report from the Police authorities as to how many cases have been booked, how many charge sheets filed and how many convictions secured by the authorities.

ii) It is also necessary that more stringent penalties be imposed on those who violate the orders of this Hon'ble Court including proceedings against them for Contempt of Court.

iii) Finally, there needs to be an active campaign to create information about the law banning animal fights, and the state must commit itself to programs that generate compassion towards animals.

22. The Petitioner states that the Respondents have wilfully and intentionally breached the order of this Hon'ble Court. The Respondents have failed to implement the order passed by this Hon'ble Court in letter and spirit. The Respondents have been most negligent in the matter of implementing the

judgment dated 20/12/1996 passed by this Hon'ble Court in Writ Petition No. 347/1996. The Respondents have committed contempt of this Hon'ble Court by not implementing and executing the judgement dated 20/12/1996. The breach and contempt is continuous. The breach is committed on a day –to –day basis.

PRAYERS

23. The Petitioner is therefore praying for the following reliefs:

a. For an order initiating contempt proceeding against the Respondents and requisite action in accordance with law;

b. For an order directing the Respondents to implement and execute the Judgement dated 20/12/1996 in Writ Petition No. 347/1996 and to file a compliance report;

c. For an order directing the respondents to submit a detailed report indicating as to how many cases have been booked, how many charge sheets filed and how many convictions secured by the authorities against the organisers of such bullfights;

d. For an order constituting a monitoring committee for both North and South Districts, with members of the SPCA, to submit submits quarterly monitoring report showing compliance and effective enforcement of the dhirio ban;

e. For an order appointing an officer each in North and South Districts of Goa, with a mobile phone number, reachable both on regular and whatsapp calls, available 24x7, responsible to ensure that bull fights are stopped before they happen;

f. For costs of this Petition

g. For other and further orders as this Hon'ble Court deems fit and proper.

Panjim, Goa

Date: - 18/ 08/2021 Petitioner

IN THE HON'BLE HIGH COURT OF JUDICATURE

AT BOMBAY, GOA BENCH, AT PORVORIM

Contempt Petition No. 2021

In

Writ Petition No. 347/1996

People for Animals – Goa …**Petitioner**

V/s

Shri Parimal Rai & Ors …**Respondents/Contemnors**

AFFIDAVIT IN SUPPORT OF THE PETITION

I, Norma Alvares, President of the Petitioner organisation abovenamed, do solemnly state on oath as under:

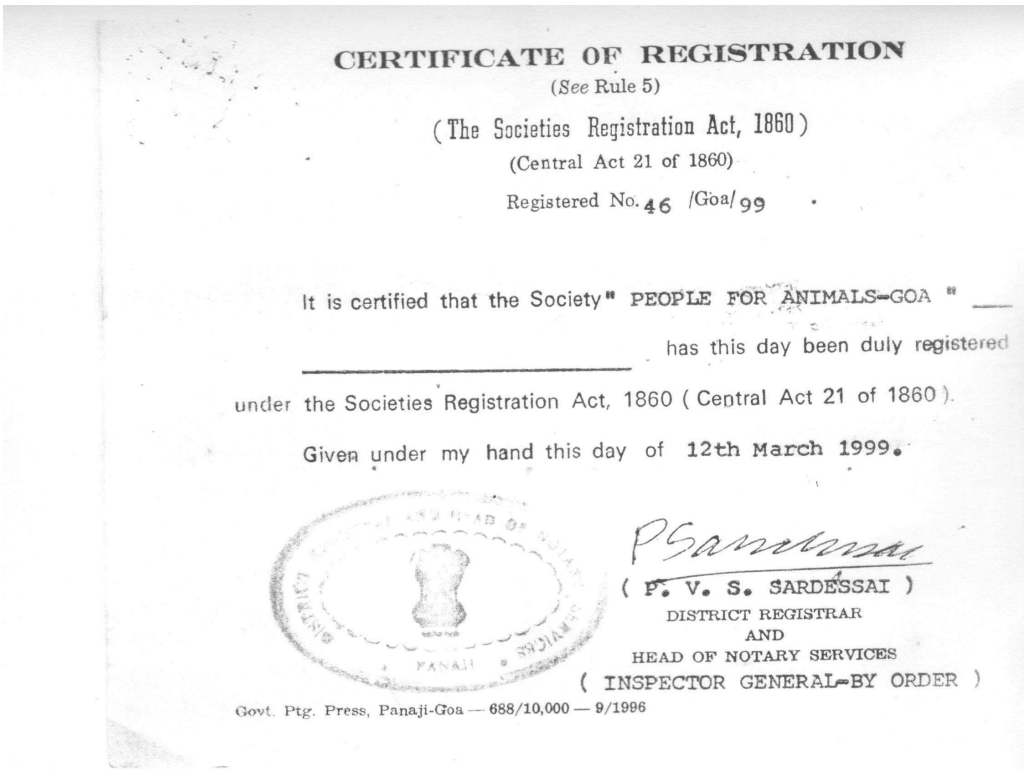
1. I have today filed a Contempt Petition in WP 347/1996 for the reliefs sought therein.

2. I solemnly declare and say that what has been stated in paragraphs 1, 2(p), 3(p), 4-12, 13(p), 14, 15, 16(p), 17(p), 18(p), and 19 (p) is true to the best of my knowledge and what is stated in paragraphs 2(p), 3(p), 13(p), 16(p), 17(p), 18(p), 19 (p), and 20-23 are in the nature of legal submissions which I believe

to be true and correct. No part of it is false and nothing material has been concealed therefrom.

3. I say that the documents enclosed are true copies of the originals.

Solemnly affirmed at Porvorim
This the 18th day of August, 2021 Deponent



CERTIFICATE OF REGISTRATION

(*See* Rule 5)

(The Societies Registration Act, 1860)

(Central Act 21 of 1860)

Registered No. 46 /Goa/ 99

It is certified that the Society " PEOPLE FOR ANIMALS-GOA " ___

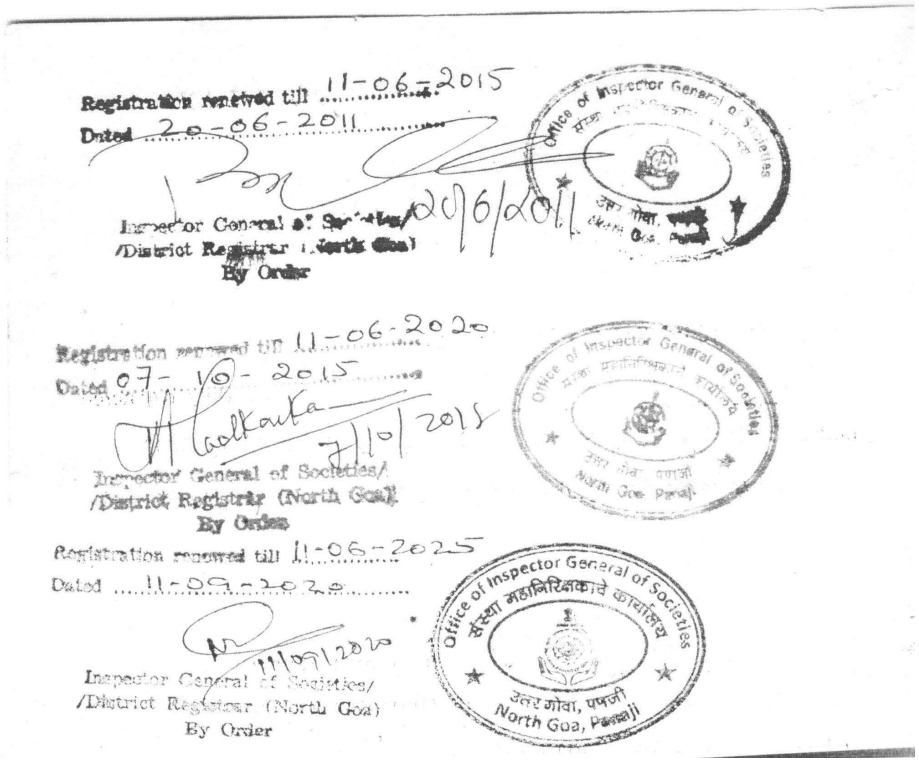
_____ has this day been duly registered

under the Societies Registration Act, 1860 (Central Act 21 of 1860).

Given under my hand this day of 12th March 1999.

(P. V. S. SARDESSAI)
DISTRICT REGISTRAR
AND
HEAD OF NOTARY SERVICES
(INSPECTOR GENERAL-BY ORDER)

Govt. Ptg. Press, Panaji-Goa — 688/10,000 — 9/1996



Registration renewed till 11-06-2015
Dated 20-06-2011
Inspector General of Societies/
/District Registrar (North Goa)
By Order
20/6/2011

Registration renewed till 11-06-2020
Dated 07-10-2015
Inspector General of Societies/
/District Registrar (North Goa)
By Order
7/10/2015

Registration renewed till 11-06-2025
Dated 11-09-2020
Inspector General of Societies/
/District Registrar (North Goa)
By Order
11/09/2020

People for Animals – Goa
Society Registration No.46/Goa/99
Recognised by Animal Welfare Board of India and Government of Goa as Animal Welfare Organization.
Registered Address: G-8, St Britto's Apartments, Feira Alta, Mapusa 403 507 Goa, India. Tel.: 2256479
Animal Shelters : ► Shantinagar, Vasco. Tel.: 2532514. ► Curti, Ponda. Tel.: 3207920

Resolution for People for Animals – Goa

(Passed on 27/ 07 / 2021)

True Copy

"It is hereby resolved that People for Animals – Goa will file a Contempt Petition in the Bombay High Court at Goa for reliefs relating to the welfare of bulls in Goa and the illegal *dhirio/* bull-fighting events in Goa, and that the Society's President, Smt. Norma Alvares, will be the authorized signatory for the same."

Certified Copy

Lakshmi Gonsalves

Secretary

EXHIBIT B

IN THE HIGH COURT OF JUDICATURE AT BOMBAY

APPELLATE SIDE, PANAJI BENCH.

Writ Petition No. 347 of 1996.

1. People for Animals
   through Mrs. Norma Alvares,
   Trustee,826/2 Alto Porvorim,
   Bardez-Goa.
2. Mrs. Norma Alvares of major
   age, Indian National, r/o
   St. Britto's Apartments,
   Dattawadi, Mapusa-Goa. ... Petitioners.

Versus

1. State of Goa through its
   Chief Secretary having
   office at Secretariat,
   Panaji-Goa.
2. The Director, Department
   of Animal Husbandry and
   Veterinary Medicine, Pashu
   Sanvardhan Bhavan, Panaji-
   Goa.
3. The Inspector General of
   Police, Police Headquarters,
   Panaji-Goa. ... Respondents.

All Goa Bull and Buffalo Owners
Association, represented by its
President, Shri Simon Caiado,
r/o House No. 906, Goa Velha,
Zuari-Goa. ... Intervenor.

Shri M.S. Sonak, Advocate for the Petitioners.

Shri V.B. Nadkarni, Advocate General with Shri G.U. Bhobe, Government Advocate for the Respondents.

Shri A. Viegas, Advocate for the Intervenor.

Coram: R.K. Batta & R.M.S. Khandeparkar, JJ.

Date: December 20th, 1996.

JUDGMENT (Per Khandeparkar, J.)

The petitioners who claim to be animal lovers and engaged in welfare of animals,in educating the general public concerning the necessity of treating all animals with compassion and to be the activist interested in ensuring that all laws concerning prevention of cruelty to the animals are enforced, have approached this Court with the

complaint that the statutory authorities are either hesitant or negligent in taking appropriate steps to prevent the cruelty to the animals that is being inflicted in the course of the game of bull fights taking place in the State of Goa. According to the petitioners, bull fights are in contravention of Section 11(1) of the Prevention of Cruelty to Animals Act, 1968, hereinafter called as "the said Act". It is the contention of the petitioners that inspite of their efforts to bring this fact to the notice of the authorities concerned, such illegalities are being committed in the State of Goa and further that inspite of requests to such authorites to take appropriate steps in the matter to prevent the same, no action is being taken by the respondents and the bull fights are continuing to take place in Goa. It is further contended by the petitioners that the immediate occasion for the petitioners to approach this Court is the incident of killing of a person in a most brutal fashion by a violent bull at one of such bull fights organized at Fatorda near Margao on 17th September 1996 and that further bull fight which was scheduled to take place on 2nd October 1996.

2. The petitioners claim that the bull fights are recent introduction in the State of Goa and though initially, no money or gambling was associated with it, in the recent times, due to the patronage of local politicians, the frequency of bull fights have increased enourmously and they

have become completely commercialised . Newspapers' advertisements of bull fights are openly published to attract more and more spectators. On any given day, there would be fights between 6 to 10 bulls and in the process, bulls get severely hurt and wounded and further they also become insane. Specific procedures are utilised by the bull owners to instigate the bulls to fight with each other and the same is described,in detail, in the articles published in'Goa Today' and a daily by name 'Herald', copies of which are annexed to the petition as Exhibits 'A' and 'B' respectively. Accordingly, two bulls or buffaloes - specially trained and bred for this game only - fight against each other, with their owner or trainer standing behind them goading them on. At regular intervals, either mud is rubbed on the back of the animal or water is poured on its back. This is done to agitate or cool down the animal as the need may be. It is further contended by the petitioners that several social evils have sprung up and are associated with events of bull fights and they include large scale of illegal betting relating to the fortunes and fate of the individual bull. It is their case that, in fact, the bull fights are popular because of betting that goes with them. Moreover, it is not always fun. Besides the fact that they prove fatal to some animals, even spectators have occasionally fallen victims. In some cases, the spectators have been

trampled by the stampeding animals. It is stated that the situation gets worse when the defeated bull starts running away from the field and the victor charges him. Such bull fights are locally known as 'dhirio' and they are in direct contravention of the provisions contained in Section 11(1)(m) and Section 11(1)(n) of the said Act and that the authorities are duty-bound to take action against the said offenders.

3. It is further contended by the petitioners that the petitioners addressed a letter dated 25th June 1996 to the Chief Secretary of Government of Goa, Panaji, bringing to his notice the cruelty suffered by the animals, who are goaded into killing each other in the process of bull fights and resulting injuries to the animals as well as to the spectators. However, inspite of the repeated appeals, no action has been taken by the respondent to stop the bull fights. It appears that even the Director of Animal Husbandry and Veterinary Services, Government of Goa, Panaji vide letter dated 13th August 1996, brought to the notice of the Inspector General of Police, Panaji that the said Act is in force in the State of Goa and that it is necessary that action be taken to prevent violation of the provisions of the said Act. Inspite of this, the bull fights continue to be held in the State of Goa and the newspapers carry advertisements in respect thereof. One of such bull fights was organized on 21st August 1996 in the Village of

Taleigao and was attended by one of the Ministers and a Deputy Superintendent of Police. Consequently, the petitioners filed a complaint dated 2nd September 1996 to the Inspector General of Police,Panaji, regarding the said bull fight at Taleigao, held on 21st August 1996 and requested to take necessary steps in the matter.

4. The petitioners further contend that inspite of the said complaint, there have been no action by the respondents and, in fact, on 18th September 1996, the newspaper in Goa reported that one Shri Xavier Rodrigues of Cana Benaulim was killed during the bull fight organized at Ambaji-Fatorda, near Margao. Referring to the said newsitem, the petitioners contend that though the police have registered the offence under Section 304-A I.P.C., no offence has been registered under the said Act in respect of the said incident. The petitioners further stated that yet another person was killed in similar situation about 8 months ago in a bull fight held near Guirim in Bardez Taluka and that inspite of such gruesome deaths, the respondents have not cared to stop these bull fights. The petitioners, therefore, have approached this Court for necessary directions to the respondents to take appropriate steps to stop the practice of bull fights in Goa.

5. When the matter came up for hearing, learned Advocate General raised a preliminary objection regarding the maintainability of the petition on the ground that the petitioners are not entitled to seek the relief prayed for. Drawing our attention to the

prayer clause in the petition, the learned Advocate General submitted that no such relief can be granted unless there is certainty of the offence being committed. The question of commission of offence arises only in case there is certainty of the offence being committed. According to learned Advocate General, organizing bull fights or 'dhirio', by itself does not amount to commission of an offence under the said Act and, therefore, there cannot be any ban on organizing of such bull fights. He further contended that it is for the authorities to apply their mind, whether the facts in particular case amount to contravention of the provisions of Section 11 of the said Act or not. Unless the facts constituting the offence under Section 11 of the said Act exist, the respondents cannot take any action against any person for violating the provisions of the said Act. Therefore, according to learned Advocate General, there is no occasion for giving any direction to the respondents to take steps to stop bull fights in Goa. Learned Advocate General further submitted that the said Act contains clear provisions regarding punishment to be awarded in case of violation of the provisions of the said Act. The question of punishment and penalty, however, according to learned Advocate General, will arise only on commission of the offence under the said Act. Referring to the petitioners, learned Advocate General submitted that it is not the contention of the petitioners that the Authorities have failed to take action against the specific offence

under the said Act, having been brought to the notice of the concerned Authorities.

6. In reply to the preliminary objection regarding the maintainability of the petition, while expressing his great surprise over the indirect support sought to be lent by the Government to the illegal activities and violation of provisions of the said Act by orginizing the bull fights, Shri M.S. Sonak, learned advocate appearing on behalf of the petitioners, submitted that it is the statutory duty of the respondents to take preventive measures to avoid commission of offences under the said Act. Taking us through the provisions of Sections 11, 31, 32, 33 and 35 of the said Act and Article 51-A of the Constitution of India, Shri Sonak submitted that it is a paramount duty of the respondents to see that no act amounting to offences under the said Act, is committed in the State of Goa. Drawing our attention to Section 31 of the said Act, learned Advocate submitted that undisputedly the offences punishable under Sections 11(1)(l) and (n) are cognizable offences within the meaning of Code of Criminal Procedure and, therefore, according to learned advocate, in terms of Section 149 of the Cr.P.C., every Police Officer may interpose for the purpose of preventing and shall to the best of his ability, prevent, the commission of any such offence under the said Act. Taking us through the application for intervention filed by All Goa Bull and Buffalo Owners' Association and the affidavit of the President of the Association

Shri Simon Caiado, learned advocate submitted that admittedly, the bull fights or 'dhirios' are conducted as business and the bulls and buffaloes are maintained by such persons at exorbitant costs only for the purpose of bull fights. Learned advocate for the petitioners further submitted that the State cannot be a silent spectator to the cruelty to the animals and the offences committed under the said Act and choose to be indifferent to the barberic treatment given to the animals for sheer pleasure of some of the human beings and cannot shirk the responsibility to take action under the said Act and under the Criminal Procedure Code. According to learned advocate for the petitioners, the conduct of the respondents in abetting offences under the said Act is writ large from the very preliminary objection sought to be raised on behalf of the respondents regarding the maintainability of the present petition. According to the learned counsel for the petitioners, it is the duty of every citizen to protect and improve the natural environmemt, including forest, lakes, rivers and wild lives and to have compassion for living creatures in terms of Article 51-A of the Constitution of India. The respondents having failed to act and to take appropriate steps to prevent cruelty to the animals and to avoid the bull fights which result in inflicting pain and sufferings to the animals, the petitioners are compelled to approach this Court for necessary direction in the matter to the respondents. He further contended that the petition having been filed in

the public interest, this Court can always mould the relief suitably and appropriate relief can be given in the matter.

7. Shri Sonak further submitted that the respondents in this case have chosen not to counter any of the statements of facts, pleaded by the petitioners in the affidavit. Added to this, the application for intervention and the affidavit in support thereto filed on behalf of All Goa Bull and Buffalo Owners' Association, clearly corroborate the facts stated in the petition. The said application claims that the 'dhirios' or bull fights are the game of skill and of trial of strength and stamina. Undoubtedly such games are organized on festive occasions for entertainment and in the process, the bulls are incited to fight and occasionally the bull can get gored and he can be calmed down only by putting to sleep. Various annexures disclose that for such occasion spectators are charged at Rs. 35/- each as entry fee and the crowd could range between 500 to 5000 for any occasion of bull fight, depending upon the bulls which are engaged for fighting. The annexures also disclose that such game is popular because of betting that goes with it. Inspite of all these facts, the respondents are showing total indifference in performing their duties to stop such illegal activities.

8. Shri Sonak further submitted that admittedly, on such occasions, loudspeakers are widely used. It is an undisputed fact that loud speakers cannot be used in public places without getting prior necessary

permission from the District Magistrate. The fact that the loud-speakers are widely used on such occasions, clearly shows,according to learned advocate Shri Sonak, that the respondents are actively conniving in commission of the offences under the said Act by organizers of such bull fights.

9. Learned advocate Shri Sonak further submitted that it is a paramount duty of the respondents to see that the provisions of the said Act are duly complied with and no person is allowed to commit an offence of cruelty to the animals. Drawing our attention to the preamble of the said Act, Shri Sonak submitted that the said Act has been brought into force basically to prevent infliction of unnecessary pains and sufferings on animals, as well as cruelty of every kind to the animals. Being so, it is not sufficient for the State to enact the law, but it is also necessary to see that the provisions thereof are not violated. Drawing our attention to the Judgment of the Apex Court in the matter of Indian Council for Enviro-Legal Action v. Union of India and others, reported in JT 1996(4) S.C. 263, Shri Sonak submitted that the tolerance of violation of the provisions of the said Act is bound to render the legal provisions contained in the said Act nugatory and that such tolerance by the authorities will encourage lawlessness and social evils.

10. Shri V.S. Nadkarni, learned Advocate General, on the other hand, submitted that the petitioner is seeking preventive measure in respect of penal provision

in the said Act. The provisions being of penal nature, they are to be strictly construed. The said Act does not contain any provision which makes it obligatory upon the State to take preventive action in cases where there is likelihood of any cruelty to the animals. Drawing our attention to the provisions contained in Section 11(3) of the said Act, learned Advocate General further submitted that even destruction of animals is permissible under the certain conditions for certain purposes and one of such instances is commission or omission of any act in the course of the destruction or the preparation for destruction of any animal as food for mankind. According to learned Advocate General, the bull fights by itself will not construe an offence under the provisions of the said Act, unless it is accompanied by actual cruelty to the animals, and, such cruelty cannot be presumed merely because the bull fight is arranged. The cruelty may occur only in the course of bull fight depending upon the circumstances in each case of bull fights and there is no presumption that there will be cruelty to the animals in the course of each and every bull fight. Being so, according to the learned Advocate General, it is not possible to prohibit the bull fights under the provisions of the said Act.

11. Shri A. Viegas, learned advocate appearing for intervenor, while adopting the arguments advanced by the learned Advocate General, submitted that the provisions contained in Section 11(1)(m) or (n) can be invoked only in cases where actual crime is committed

in the course of bull fights. There is no presumption that in each and every bull fight there will be cruelty committed to the animals. According to Shri Viegas, the bull fights which are locally known as 'dhirios' are being arranged in the State of Goa for the last more than 50 years and it has become a part of Goan tradition. According to Shri Viegas, it is customary to hold such bull fights at the end of harvest season and on festive occasions. There is no cruelty to the animals involved in such bull fights and it is a sheer game wherein strength of bulls is put to test. According to Shri Viegas, presently all the spectators take part in such fights actively because no barricades are raised around the ground where such fights take place. This can be avoided by making it compulsory to have barricades around the ground where such fights are to be held. However, there cannot be blanket ban on holding such bull fights as it will also result in financial loss to the bull owners as they are specially maintained at exorbitant costs by the bull and buffalo owners. He further contended that the owners of bulls and buffaloes spend considerable amount of money for purchase and for maintenance of such bulls and buffaloes and the families of such owners are dependent upon the income derived from 'dhirios' or such bull fights. He further stated that such owners spend about Rs. 150/- to Rs. 250/- each day on each of such bulls or buffaloes. He sought to rely upon the Judgment of the Apex Court in the matter of Shri Sachidanand Pandey and another v.

The State of West Bengal and others, reported in A.I.R. 1987 S.C. 1109.

12. We find that the said Act has been brought into force to prevent the infliction of unnecessary pain or suffering on animals as well as to prevent any cruelty to the animals and this is clear from the preamble of the said Act. The term 'animal' means any living creature other than a human being under the said Act. Owner of the animal for the purpose of the said Act includes the real owner as well as any other person for the time being in possession or custody of the animal with or without the consent of the owner. As per Section 3 of the said Act, it is the duty of every person having the care or charge of any animal to take all reasonable measures to ensure the well-being of such animal and to prevent the infliction upon such animal of unnecessary pain or suffering. Section 11 provides various instances which would constitute offences under the said Act. Accordingly, no person is entitled to beat, kick, torture or otherwise treat any animal so as to subject it to unnecessary pain or suffering. No person can offer for sale or, without any reasonable cause, possess any animal which is suffering pain by reason of mutilation, starvation, thirst, overcrowding or other ill-treatment. No person can solely with the view to provide entertainment confine or cause to be confined any animal so as to make it an object of prey for any other animal or to incide any other animal to fight or bait any other animal. No person is entitled to

mutilate any animal in any unnecessary cruel manner. Likewise no person can keep, use or act in the management of, any place for animal fighting, or for the purpose of baiting any animal or permit or offer any place to be so used for any such purpose. The person contravening any of the provisions contained in Section 11 is liable to be punished in the first instance with the fine and for subsequent offences within three years with the fine or imprisonment or with both. Section 32(1) provides that if the police officer not below the rank of sub-inspector or any person authorised by the State Government in that behalf has reason to believe that an offence under Clause (1) of sub-section (1) of Section 11 of the said Act in respect of animals mentioned in Section 30 of the said Act is being or is about to be or has been committed in any place or that any person has in his possession the skin of any such animal with any part of the skin of the head attached thereto he may enter and search any place in which he has reason to believe any such skin to be, and may seize such skin or any article or thing used for intended to be used in the commission of such offence.

13. As rightly pointed out by the learned advocate Shri Sonak, considering the scheme of the said Act and the provisions contained in Article 51-A of the Constitution of India, it is the duty of every citizen of India to protect and improve the natural environment including forests, lakes, rivers and wild life and to have compassion

for living creatures. The provisions contained in Section 149 of the Code of Criminal Procedure makes it obligatory for every police officer to interpose for the purpose of preventing commission of any cognizable offence to the best of his ability. Being so, it cannot be said that the present petition is absolutely devoid of substance or that it is not maintainable or that no relief can be granted in relation to the bull fights or 'dhirios' as it is locally known. The relief sought in the present petition relates to effectual implementation of the said Act with the sole intention to avoid cruelty to the animals. In fact, it is the duty of the State to see to it that the said Act is duly implemented in letter and spirit to fulfil the object with which the said Act has been enacted and, therefore, further to see to it that no cruelty is caused to the animals and no offence is committed under the said Act and if there is indication that offence under the said Act will be committed, then to take preventive measures to avoid cruelty to the animals. The allegations of the petitioners being that the respondents are avoiding their responsibility to implement the provisions of the said Act and the said omission on the part of the respondents is resulting in inflicting pain and suffering on the animals engaged in bull fights, it is necessary to consider the matter on merits and it cannot be said that no relief can be granted to the petitioners in such situation.

14. Before considering the rival contentions

put forth by the counsel, it is necessary to know as to what exactly is a bull fight. The undisputed facts brought out in the record disclose that a bull fight consists of a fight between two bulls or two buffaloes or a bull and a buffalo. Such fights are organized in an open field and the same is witnessed by the crowd of spectators which spread all around the arena or the ground where such fights are arranged. The organizers of the bull fights collect fees from the spectators who witness such bull fights. The crowd of spectators range anywhere between 500 to 5000 depending upon the bulls and buffaloes arranged for such fights. The bulls or buffaloes are specially maintained for such fights by some of the people in the State of Goa. The fights begins when two bulls or buffaloes specially trained and bred for the fight are brought against each other with their owner or trainer standing behind them goading them on. At regular intervals, either mud is rubbed on the back of the animals or water is poured on its back. This is done either to agitate or to cool down the animal as the need may arise. In the process of such fight, the animals are goaded and incited not only by the owners or trainers who stand behind such bulls but almost the entire crowd participate in inciting the animals to fight. Before the actual fight begins, the bulls with their eyes turned red glare at each other and sometimes try to scare their opponent by scything their horns in the ground, flinging mud up into the air. Then suddenly they dash at each other, locking horns, pushing each other. They move back and forth intermittently

charging and retreating. It all depends on the strength of the bull and its stamina. Pushing each other sometimes they even try their force on the spectators while the crowd scrambles for safety. The bull that gets pushed out of the arena first or turns and runs away, loses the fight. One fight could go on as long as an hour or get over within two or three minutes. On some occasions the bull runs away from the field without even locking horns. In the process the animals suffer injuries. At times, the bull can get gored and have to be put to sleep. Normally the defeated animal runs away from the field with the victor chasing it and on such occasions it can even run towards the spectators causing injuries to them. Considering these facts, we wonder, how anybody can say that there is no cruelty involved in conducting bull fights.

15. In brief the bull fight involves fight between two bulls or buffaloes without any restrictions to be observed in such fights and without any control of human being as regards the nature of the fight which can take place between such bulls and in the result the animals are injured and at times go insane and also can inflict injuries to the spectators of such bull fights.

16. The records further show that the bull fights have gained popularity in the recent years solely because of betting that goes with it. People bet huge amounts of money, earning quite a packet from these fights sometimes. This is one of the

social evils brought in by these fights, which are no more mere fun.

17. It is seen that what is sought to be achieved by the present petition is the meaningful implementation of the said Act. Undisputedly the said Act is in force in the State of Goa and being so, inciting any animal to fight any other animal with a view to providing entertainment or organizing, using or acting in the management of, any place for animal fighting or for the purpose of baiting any animal or permitting or offering any place to be so used and causing cruelty of other nature to the animals is clearly prohibited by Section 11 of the said Act. Section 31 specifies the cognizable offences under the Act and it reads as under:-

> "Notwithstanding anything contained in the Code of Criminal Procedure, 1898, (5of 1898) an offence punishable under clause (l) or clause (n) or clause (o) of sub-section (1) of Section 11 or under Section 12 shall be a cognizable offence within the meaning of that Code."

18. As already seen above, the bull fights involve fights between two bulls without any restrictions as regards the manner in which such fights are to be conducted and neither the owner nor the trainer can keep full control as regards the nature of the fight which can take place between the bulls during the bull fights. It is also seen that during the process of such bull fights animals get insane and injured and can also end up in inflicting injuries to the human-beings and at times result in death of a person or persons. These bull fights, though initially were organized as mere fun, is how being associated

with gambling and betting. It has become a commercial business at the cost of cruelty to the animals as well as occasionally to the human-beings.

19. The correspondence brought on record clearly shows that the petitioners have brought the above facts to the notice of the respondents who are the custodians of law and order in the State, In fact the Director of Directorate of Animals and Veterinary Services of the Government of Goa had clearly brought to the notice of the respondents by his letter dated 13th August 1996 that the said Act is in force in the State of Goa as well as action be taken in cases where there is cruelty to the animals. Inspite of clear provisions contained in the said Act whereby any type of cruelty to the animals is considered an offence, surprisingly the respondents have been silent spectators to such offences being committed in the name of bull fights. The facts brought on record also show that these bull fights are not only blessed by the politicians but by the Police Officers of the rank of Dy.S.P..

20. As it is pointed out time and again by the Apex Court as well as by this Court that it is not sufficient just to enact the law. What is more important is the implementation of such enacted laws. In fact the Apex Court has observed in the matter of Indian Council for Enviro-Legal Action v. Union of India and others, reported in JT 1996(4) S.C. 263 that "enactment of a law, but tolerating its infringe-

ment, is worse than not enacting law at all. The continued infringement of law, over a period of time, is made possible by adoption of such means which are best known to the violators of law. Continued tolerance of such violations of law not only renders legal provisions nugatory but such tolerance by the Enforcement Authorities encourages lawlessness and adoption of means which cannot, or ought not to, be tolerated in any civilized society. Law should not only be meant for law abiding but is meant to be obeyed by all for whom it has been enacted. A law is usually enacted because the legislature feels that it is necessary. The Apex Court has further observed in the said Judgment that "when a law is enacted containing some provisions which prohibits certain types of activities, then, it is of utmost importance that such legal provisions are effectively enforced. If a law is enacted but is not being voluntarily obeyed, then, it has to be enforced. Otherwise, infringement of law, which is actively or passively condoned for personal gain, will be encouraged which will in turn lead to a lawless society." (Underlining supplied).

21. It is thus clear that the enactment of the law to prevent cruelty to the animals is not an end in itself. What is more important is the implementation of that Act and to see to it that the activities which are prohibited under the said Act do not take place in the State and in case of infringement of the provisions of the said Act, to take strict action against the offenders. Likewise it is also obligatory upon the respondents to see to it that

the provisions dealing with the prohibition of certain activities are effectively enforced by preventing such activities. Failure on the part of the respondents to take preventive measures will certainly amount to tolerance of violation of the provisions of the said Act and such tolerance will render legal provisions contained in the said Act nugatory and also will encourage lawlessness.

22. It cannot be disputed that all animals are born with an equal claim for life without any cruelty to them. Perhaps if this right was given proper recognition by the human-beings, there would have been no necessity to bring on the statute book the said Act. Unfortunately, eventhough the said Act has been brought in force in the State, still there appears to be either lack of courage or wilful negligence on the part of the respondents to implement the provisions of the said Act and, therefore, in our considered opinion, the petitioners are justified in making grievance about the same. The respondents cannot shirk their responsibilities to prevent the cruelty to the animals. In fact, to prevent such cruelty to animals it is obligatory upon the respondents to take action under the various provisions contained in the said Act.

23. The inaction or the failure on the part of the respondents to take necessary precaution to prevent the cruelty to the animals is evident

from the fact that the law enforcing agency is itself encouraging illegality and violation of the provisions contained in the said Act either actively or passively, one cannot blame the petitioners for approaching this Court for necessary action. In such situation it is the duty of the respondents to give full effect to the provisions contained in the said Act in letter and spirit. Considering the fact that the bull fights result in injuries and consequently cruelty to the animals as well as some times to the human-beings, it is the paramount duty of the respondents to take preventive action to avoid such bull fights. The records disclose that despite repeated reminders on the part of the petitioners in the matter, the respondents have failed to take action. The facts brought on record are not disputed by the respondents.

24. The contention of Shri Viegas, the learned advocate appearing for the intervenor, that no cruelty is involved in such bull fights and it is a sheer game of strength of bulls is devoid of substance. The materials placed on record prove to the contrary. Conducting bull fights by using barricades around the arena of bull fights will not solve the problem. It will neither avoid injuries and cruelty to the bulls nor such barricades may be sufficient in a given

situation to prevent a bull rushing towards the crowd of spectators watching the bull fight. His further contention that blanket ban on holding such bull fights will result in financial loss to the bull owners cannot be a justification to the omission on the part of the respondents to implement the provisions of the said Act and cannot be an answer to the claim of the petitioners for effective implementation of the provisions of the said Act which deal with prevention of cruelty to animals. As already stated above tolerance of infringement of the provisions of the Act is worse than not enacting the law itself. Merely because infringement of the provisions of the said Act was tolerated for some time, that cannot create any right on the intervenors to insist upon the continuation of tolerance of infringement of the provisions of the said Act.

25. Considering the facts of the case it is, therefore, necessary to issue directions to the respondents to take all the steps to give full effect to the provisions contained in the said Act and thereby to prevent cruelty to the animals thereby prohibiting bull fights and all other fights of like nature involving animals including birds which can cause injuries and cruelty to the animals.

26. Before we conclude we must say that considering the materials brought on record regarding the cruelty sought to be inflicted on the animals in the process of such bull fights, we are reminded of the words of Justice Krishna Iyer in his Lectures on Human Rights.

While expressing deep anguish and sigh of great displeasure over torture inflicted on innocent animals in this country and that too despite the Vedas, the Bible, the Koran, the Buddha and Mahavire and the Supreme miracle and revolutionary apostle of Ahimsa, Mahatmaji, Justice Krishna Iyer has warned us that we have forfeited the right to be heirs of a culture of Karuna, Samata and Dharma. Justice Krishna Iyer further reminds us that humanism cannot be halved by denying it to prehuman brethren and compassion is beyond division by refusing it to the Darwinian species; all life is too devinely integral to admit of unnatural dichotomy as man and animal in the wholeness of ecology. Justice Krishna Iyer, therefore, reminds us the message of kindness found in Koran which reads as under:

> "There is not an animal on the earth,
> nor a flying creature on two wings,
> but they are people like unto you."

27. In the result, therefore, the petition succeeds. The bull fights or 'dhirios' are in contravention of the provisions of the said Act and, therefore, illegal and cannot be permitted to be organized. The respondents are, therefore, directed to take immediate steps to ban all types of animal fights including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms. In the circumstances,

however, there shall be no order as to costs.

(R.K. Batta)
Judge.

(R.M.S. Khandeparkar)
Judge.

EXHIBIT C - 1

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO. 20 OF 2006
IN
WRIT PETITION NO.347 OF 1996.

AND

CONTEMPT PETITION (MAIN) NO.3 OF 2008.

CONTEMPT PETITION NO. 20 OF 2006
IN
WRIT PETITION NO.347 OF 1996.

1. People for Animals,
through Mrs. Norma
Alvares, Trustee, 826/2,
Alto Porvorim,Bardez, Goa.

2. Mrs. Norma Alvares, of
major age, Indian Nationa,
r/o St. Britto's Apartments,
Dattawadi, Mapusa, Goa. ... Petitioners

Versus

1. The State of Goa, through
its Chief Secretary having
office at Secretariat,
Porvorim, Goa.

2. The Director, Department
of Animal Husbandry and
Veterinary Medicine,
Pashusanvardhan Bhavn,
Panaji, Goa.

3. The Inspector General of
Police, Police Headquarters,

Panaji, Goa.

4. Shri J. P. Singh, working as Chief Secretary, State of Goa, having office at Secretariat, Porvorim, Goa.

5. Dr. H. Faleiro, working as Director of Animal Husbandry and Veterinary Services, Government of Goa, Panaji, Goa.

6. Shri Neeraj Kumar, working as Director General of Police, having office at Police Headquarters, Panaji, Goa. .. Respondents

Mr. D. J. Pangam, Advocate for the petitioners.

Ms. W. Coutinho, Government Advocate for the respondent Nos.1 to 6.

AND

CONTEMPT PETITION (MAIN) NO.3 OF 2008.

Mr. Vijay Samant .. Petitioner

Versus

1. State of Goa
Through Chief Secretary,
Office at Secretariat,
Secretariat, Porvorim, Goa.

2. The Director,Department of Animal Husbandry and Veterinary Services Pashusanvardhan Bhavan,
Panaji, Goa.

3. The Inspector General of Police,
Police Headquarters, Panaji, Goa. .. Respondents.

Mr. V. Menezes, Advocate for the petitioner.

Ms. W. Coutinho, Government Advocate for the respondents.

CORAM :A. P. LAVANDE, J.

DATE : 12th December, 2008.

ORAL ORDER :

1. Both these petitions are being disposed of by the common order since the grievance made in both these petitions, is common.

2. According to the petitioners, the directions given by the Division Bench of this Court in the judgment dated 20.12.1996 in Writ Petition No.347 of 1996, are being not complied with by the respondents and as such they have committed contempt of this Court.

3. Writ Petition No.347 of 1996 was filed by People for Animals through Mrs. Norma Alvares claiming themselves to be animal lovers and engaged in the welfare of the animals. According to the petitioners, in several parts of Goa, bullfights were being organized, which

were in contravention of Section 11(i) of the Prevention of Cruelty to Animals Act, 1968 ("The Act" for short). This Court by the judgment and order dated 20.12.1996, allowed the petition and held that bullfights or 'dhirios' were in contravention of the provisions of the said Act and, therefore, were illegal and could not be permitted to be organized. The respondents to the petition, were directed to take immediate steps to ban all types of animal fights including bullfight in the State of Goa and to see that the direction is fully complied with in letter and spirit which The Act seeks to achieve. It is pertinent to note that Special leave to Appeal against the said judgment, was also dismissed by the Apex Court.

4. By filing the present petition, the petitioners seek to bring to the notice of this Court that in spite of the directions given by this Court, bullfights are being organized in certain parts of Goa and no action is being taken by the respondents either to prevent the same or to take appropriate proceedings against the violators. This Court from time to time, has directed the respondents to file affidavits. Pursuant to the said directions, affidavits have been filed by D. K. Sawant, Superintendent of Police, North Goa in C.P. No.20/2006 and by Mr. Shekhar Prabhudessai, Superintendent of Police, South Goa. Shri J. P. Singh, Chief Secretary, Government of Goa, has also filed affidavits pursuant to the directions given by this Court.

Perusal of the said affidavits discloses that in spite of the directions given by this Court, bullfights are being organized in certain pockets of Goa but the action has been taken by the officers in-charge of the concerned police stations to prevent bullfights, in case any information is received in advance and in some cases, prosecutions have been launched against those violating the directions given by this Court. Perusal of the affidavits discloses that steps have been taken by the respondents to implement the order passed by this Court.

5. However, from the affidavits filed and materials produced on record, it also appears that some of the police stations within whose jurisdiction, the bullfights are organized, are short of police personnel as a result, when the police, who go to the site, are assaulted since they have to deal with the large mob gathered near the site of bullfight. It is, therefore, expected that the respondent No.1 shall depute adequate staff at the police stations within whose jurisdiction, bullfights are being organized. It is the duty of the respondent No.1 to also protect the police officers, who go to the site to discharge their duties to comply with the directions given by this Court. I hope and trust that the respondent No.1 will take appropriate steps in this regard.

6. In view of the above, I am of the considered opinion that no purpose would be served by keeping the petitions pending. Needless to mention that in the event the order passed by this Court in Writ Petition No.347 of 1996, is flouted in future, the petitioners are at liberty to file appropriate proceedings available in law. Accordingly, contempt proceedings against the respondents, are dropped. Both the petitions are disposed of.

A. P. LAVANDE, J.

SMA

EXHIBIT C - 2

IN THE HIGH COURT OF BOMBAY AT GOA

CONTEMPT PETITION NO. 21 OF 2015
IN
WRIT PETITION NO. 347 OF 1996

PEOPLE FOR ANIMALS-GOA,THROUGH ITS PRESIDENT SMT.NORMA ALVARES. ... Petitioner

Versus

SHRI R.K.SRIVASTAVA, CHIEF SECRETARY, GOVT. OF GOA AND 7 ORS., ... Respondents

Mr. Abhijeet Kamat, Advocate for the petitioner.
Mr. P. Dangui, Additional Government Advocate for the respondents.

Coram:- F. M. REIS &
K. L. WADANE, JJ.

Date:- 17th March, 2016

P.C.

Heard Mr. Kamat, the learned counsel appearing for the petitioner and Mr. Dangui, learned Additional Government Advocate appearing for the respondents.

2. This is a contempt petition filed by the petitioner, inter alia, contending that despite of the orders passed by this Court while disposing of Writ Petition No.347 of 1996 prohibiting any bull fight in the State of Goa and in violation thereof some bull fight were conducted in the village of Pernem. Though there was serious dispute about the time when such bull fight occurred, nevertheless, the fact that the bull fight had occurred, is not disputed on the relevant date as claimed by the petitioner. In the meanwhile, the

respondents have filed an affidavit, inter alia, bringing to the notice of this Court that a prohibitory order has been issued on 29th February, 2016 prohibiting any such bull fight besides show cause notices were also issued to the concerned District Collector, Superintendent of Police (North), Deputy Collector, Pernem , Police Inspector Pernem in connection with the alleged bull fights on the relevant date.

3. Considering that action is being taken by the respondents in compliance with the orders of this Court and as the learned Additional Government Advocate states that the prohibitory order shall be duly published and the said show cause notices have been issued, we find that nothing survives in the above contempt petition at this stage. It is also brought to our notice that the charge-sheet has also been filed against the persons, who had indulged in bull fight, before the Judicial Magistrate First Class, Pernem.

4. In view of the above, accepting such statement of learned Additional Government Advocate, upon instructions, and based on an affidavit filed by the respondents, the above contempt petition stands disposed of accordingly.

K. L. WADANE, J. F. M. REIS, J.

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EXHIBIT D COLLY

The Herald Newspaper, dt. 15th August 2021

15 Aug 2021 | 06:19am IST

Despite ban, dhirios held at 8 places in Salcete

Colva Police register FIR against only four persons in two separate incidents

Team Herald

MARGAO: Despite ban and objections from animal lovers, dhirios (bullfights) were held on Saturday at nearly eight different places in Salcete's coastal belt.

However, Colva Police managed to register an FIR against only four persons in two separate incidents.

Sources said on Saturday morning dhirios were held at Fatrade and nearby areas. The three police vans, which arrived at the dhirio sites, were forcefully sent back by bullfight lovers.

It may be recalled that a few days ago 'People for Animals', an NGO had submitted the memorandum to Colva and Verna Police speculating that dhirios would be organised on August 14. The NGO had demanded an end to the bullfights. However, on Saturday dhirio organisers went ahead with the bullfights.

Colva Police have registered two separate FIRs against four accused under Section 11 (M) of Prevention of Cruelty of Animals Act.

Police said on Saturday at around 9 am a bullfight was held in an open field at Fatrade, Varca for public entertainment, thereby subjecting the animals to cruelty.

"Further upon discreet inquiry, the accused were identified as George D'Silva of Colva and Abdul Rahim Shaikh of Varca. Besides, Romeo Vaz and Muhamad Ghosh Shaikh both residents of Varca have also been booked", police said.

The Herald Newspaper, dt. 13th August 2021

13 Aug 2021 | 06:24am IST

Salcete politician planning to hold dhirios at five places!

Team Herald

MARGAO: 'Dhirio' (bullfight) is nothing new in South Goa and especially in the coastal belt of Salcete, which has witnessed a sharp increase in it recently. Sources said that a politician from Salcete is planning to organise dhirios at five different places simultaneously to celebrate the birthday of his family member.

Taking serious note of this, Norma Alvares of 'People For Animals' has submitted a memorandum to the Colva and Verna Police Stations urging them to remain alert. Norma has demanded that the authorities put an end to dhirios.

In the memorandum, Alvares stated that there are reports that dhirios were organised at four separate locations on August 7, 8, and 9. Besides, dhirios have been held in the Colva Police Station jurisdiction recently.

People For Animals has also written to the top police official to stop dhirio immediately.

Colva Police said they have initiated action against a few with regards to organising dhirio at Fatrade-Varca on Wednesday.

It is pertinent to note that despite the court ban, dhirio has become routine affair for bullfight lovers. However, there has been a sharp increase in bullfights in Salcete, mostly in the coastal belt, including Benaulim, Seraulim, Cansaulim, Colva, Fatrade, etc.

Sources said most dhirios are being organised early morning.

The Times of India Newspaper, dt. 11th August 2021

Printed from
THE TIMES OF INDIA

Four bullfighting events in three days at Goa's Cansaulim

TNN | Aug 11, 2021, 04.49 AM IST

PANAJI/COLVA: In an alarming situation, a total of four cases of bullfights, locally known as 'dhirio', were reported in three days at Cansaulim. Animal activists in Goa have taken the matter to the Verna and Colva police stations and demanded an investigation of the cases and the prevention of such acts of animal cruelty in their jurisdictions.

"Fighting with other bulls is not a natural behaviour for the animal. Bulls are compelled to fight with each other by goading crowds, by applying irritants in their eyes and pulling and pushing their tails to get them agitated and frightened. The process of training and fighting for the bull is extremely cruel and always leads to one bull being fatally injured or killed," Norma Alvares, People for Animals, Goa wrote in a letter to Verna police.

She further urged the Verna police to "put an end to this menace," and said that it is critical that cases of bullfights are investigated on a war-footing.

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Bull fights that lead to killing or maiming of animals is a criminal offence both under the Prevention of Cruelty to Animals Act (PCA), 1960 and the Indian Penal Code.

According to the complaint, dhirio events took place in Dabashree Ground, Cansaulim at 5.30pm on August 7 and at 3pm on August 8.

On Monday, between 3pm and 4pm, two separate dhirio bullfights took place between bulls Foreigner and Mavali, and another fight took place between bulls Rickshakar and Hareaband.

On Tuesday, bullfights were held at Fatrade in Varca, while three were held at Benaulim on Monday.

The practice of dhirio is illegal as per the PCA. Moreover, the practice of dhirio was banned by the high court of Bombay at Goa in the People for Animals versus State of Goa case in 1997, as against the provisions of PCA. This decision has also been upheld by the Supreme Court.

The Times of India Newspaper, dt. 10th August 2021

Printed from
THE TIMES OF INDIA

Animal welfare group asks cops to stop bullfights

TNN | Aug 10, 2021, 04.43 AM IST

Colva: Three bullfights were organised in Benaulim on Monday, even as People for Animals (PFA) dashed off petitions to Colva and Verna police about areas where the sport has been held previously and those scheduled to be held along with mention of the social media groups and profiles used to disseminate information.

PFA has also stated that it is aware that five bull fights will be held in Varca-Fatrade on August 14 to commemorate the birthday of a relative of a prominent local politician. They have requested police to investigate and stop it.

Similar petitions have also been sent to the chief secretary, director general of police, director of animal husbandry and veterinary services and the South Goa collector.

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Listing the days 'dhirios' (bullfights) were organised in areas under the jurisdiction of Colva and Verna police station, PFA has threatened to approach the high court.

"The practice of 'dhirio' is illegal as per the Prevention of Cruelty to Animals Act, 1960 (PCA). Moreover, the practice of 'dhirio' was banned by the High Court of Goa in 1997," the petition stated.

Asked about the frequency with which bullfights are organised in his jurisdiction, the Colva police inspector denied any knowledge. He also denied knowledge about the PFA petitions..

The Times of India Newspaper, dt. 1st March 2021

Printed from
THE TIMES OF INDIA

After bulls, social media abuzz with rooster fights

Mar 1, 2021, 05.33 AM IST

Panaji: Even as the state is grappling with the issue of animal cruelty by way of bullfights, roosters are being compelled to engage in fighting. The People for Animals Goa (PFA) has written to Curtorim police station to register a complaint and conduct an immediate investigation of a "Cock Fight Tournament" that was announced to be held in Chandor on February 28.
"To put an end to this menace, it is critical that all proposed animal fight events, including cock fights, are investigated on a war footing. We request you to register a police complaint and initiate an investigation at once." PFA wrote.

A poster giving an open call for entries to the "All Goa Cock Fight Tournament" was being shared on social media. This was proposed to take place on February 28 in Chandor with details of entry fees and monetary awards for winners on the poster.

Police officials from the Maina-Curtorim police station, however, said that no such event was organised on Sunday.

"The message was distributed among a certain friends' circle but no such fight has taken place on Sunday. We will take action in case there are any cock fights," an officer said.

All animal fights including cock fights are illegal and punishable as an offence of animal cruelty under Section 11 (l) of the Prevention of Cruelty to Animals Act, 1960.

The act clearly states that "anyone who organises, keeps uses or acts in the management or, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes."

Cock fights have also been declared illegal in light of Section 11 (l) of PCA, in the decision of Narhari Jagdish Kumar by the Andhra Pradesh High Court in 2016, where the court stated that, "Sadism and perversity is writ large in the actions of the organisers of these cockfights. The event is meant not for the well-being of these cocks/roosters, but for the perverse pleasure of human beings, particularly the organisers and spectators, who enjoy watching these birds savagely attack and maim each other, forgetting the intrinsic worth of these animals."

The Times of India Newspaper, dt. 19th February 2021

Printed from
THE TIMES OF INDIA

Goa: With over 30 bullfights in six weeks, welfare org seeks action

TNN | Feb 19, 2021, 04.33 AM IST

COLVA/PANAJI: With a sharp rise in cases of bullfights (dhirios) more than 30 incidents are reported to have taken place within the jurisdiction of Colva police station itself since the beginning of 2021 – in less than six weeks – at an average of more than five bullfights per week. People for Animals (PFA) - Goa, an animal welfare organisation has stepped in asking the Colva police to register a first information report (FIR) and investigate a specific bullfight in the fields of Benaulim on February 16.

"This is both an alarming and an unprecedented trend. The practice of dhirio is illegal as per the Prevention of Cruelty to Animals Act, 1960 (PCA). Moreover, the practice was banned by the high court of Bombay at Goa in 1997," the complaint signed by PFA president and advocate Norma Alvares reads. It also states that despite more than 20 years of the court order, the illegal practice of dhirio continues openly across Goa.

The complaint has also been addressed to the director general of Goa Police (DGP), Mukesh Kumar Meena, the director of animal husbandry and veterinary services, Kuldeep Singh Gangar and the district collector, South Goa - Ruchika Katyal, asking for immediate steps to ban all types of animal fights, including dhirios.

"At no other police station in Goa are so many dhirio cases being reported. Even we are getting several complaints from residents of Colva besides Benaulim and Varca of such incidents taking place frequently," said Alok Hisarwala Gupta, a legal associate with PFA.

The complaint points to the Benaulim bullfight asking the police to investigate "a violent and near-fatal dhirio incident" on February 16. Calling it a "criminal incident involving animal cruelty," Alvares wrote that "one of the bulls was brutally attacked and almost killed," during the bullfight. The bull survived in the end.

"To put an end to this menace it is critical that cases of bullfights or dhirios are investigated on a war-footing. Bullfights that lead to killing or maiming of animals is a criminal offence both under the Prevention of Cruelty to Animals Act, 1960 (PCA) and the Indian Penal Code, 1860," Alvares stated.

PI Anand Shirodkar who took charge of the Colva police station on Wednesday said that he is yet to receive the hard copy, but is aware of the incidents through social media post. "I have yet to study the matter. But we will book cases against the violators." he said.

The Daijiworld Website, dt. 09th February 2021

www.daijiworld.com

A Portal linking the West Coast of India and the World

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Amid concern, bullfights still a rage in the Goa underground

- Tue, Feb 09 2021 06:40:12 PM

Panaji, Feb 9 (IANS): A hastily typed Whatsapp message, peppered with typos, canvassing a contest between 'Rocky' and 'Tyson' near Goa's Siridao beach, isn't an invite to a boxing match.

More likely, it is a hush-hush call to witness an illegal bullfight between two well-groomed fighting bulls, a rage in Goa's coastal underground.

In recent days however, the death of two bulls in two separate bullfights -- locally called dhirio -- have raised the hackles of Goa's gaurakshaks and animals' rights activists, who now want the state government to crack down on such fights which have been banned by the Bombay High Court since 1996.

"Despite the ban, these bull fights are common in Goa's villages. We have filed numerous complaints, but the police often do not respond quickly enough," according to Hanumant Parab, president of the Gou-vansh Raksha Abhiyan, an NGO which looks after stray and abandoned cattle in Goa.

A typical dhiri (singular) involves two specially reared fighting bulls or male buffaloe, with fine physiques and sharpened horns, head-butting each other until one scampers away from the ring, indicating defeat.

In combat, the participating bulls sometimes adorn a distinctive coloured sash, quite like boxers who wear colour-coded attire to match their respective corners of the ring.

Since such fights are illegal, invitations to these affairs are passed on at extremely short notice (an hour at maximum) through private groups on social media platforms, filled with eager dhirio aficionados. Apart from invitations, fighting bull owners often use such restricted groups to dare others or challenge other fighting bull owners to combat.

After football, very few other sports evoke a response as bullfighting does. And the near-fanatic following also comes with a promise of betting on participating beasts.

"If the bulls are popular, with victories under their belt, the owner of a winning bull could come away with Rs. 1 to Rs. 5 lakh in one single fight," a fighting bull owner from Siolim village in North Goa told IANS on condition of anonymity.

The bulls are fed on a special diet of grain, jaggery, coconut, cane, vegetables and a strict exercise regimen, which involves plenty of running. Some bulls are also brought in from South Maharashtra and pitted against locally groomed bulls.

But the aggressive fights also lead to injuries, and in rare cases fatalities amongst the beast, which has riled animals' rights activists.

In October last year, two persons were arrested for organising a bullfight, after one of the participating bulls succumbed to injuries.

On January 10, yet another bull died after a bullfight in Mandrem village in North Goa, leading to the arrest of two persons, who had organised the fight.

"Whenever we have got information, we register the cases against fighting bull owners. The animals in such cases are also medically examined," Police inspector in-charge of the Pernem police station Jivba Dalvi said.

However, the sections of law under the Prevention of Cruelty to Animals Act, which covers such crimes are bailable, which Dalvi said, does not appear to be an adequate deterrent to stop illegal bullfights altogether.

Before the 1996 Court-imposed ban, bullfights were a common affair after the harvesting of paddy crop.

Several politicians across party lines over the years have 'promised' to legalise bullfighting on the lines of Jallikattu in Tamil Nadu.

In 2015, the state legislative assembly even formed a House Committee to work out ways to provide legal cover to dhirios in Goa by amending existing laws.

In 2018, Goa's Animal Husbandry Minister Mauvin Godinho also told the state legislative assembly that the BJP-led coalition government would lobby with the central government for legalisation of bullfighting.

The Times of India Newspaper,
dt. 19th January 2021

Printed from
THE TIMES OF INDIA

Despite ban, dhirios being organised with impunity under Colva police jurisdiction

TNN | Jan 19, 2021, 04.53 AM IST

Colva: Over the weekend and spilling over this week too, bull owners and bullfight (dhirio) lovers in Colva had a gala time watching the animals engage in the gory sport. Colva police, on the other hand, were seemingly unaware of anything. On January 16 and 17, bullfights were held in Seraulim.

On Monday at 5.15pm, dhirios were organised in a field near Vaddy in Benaulim. Hundreds of two-wheelers and few four-wheelers were parked on the roadside leading to the beach and also in the fields. And with no police in sight, thousands of bullfight lovers could be seen jeering and cheering the raging bulls.

A Colva police official told TOI that a team had been dispatched to stop the bullfight. However, there was no sign of police, right up to the end of the fight.

Dhirios were banned by the high court in the 1997 for violation of the Prevention of Cruelty to Animals (PCA) Act, 1960. Section 11 of the Act clearly prohibits “inciting any animal to fight any other animal with a view to providing entertainment” or other purposes. However, they are still being organised with the tacit support of the politicians and police, one villager said.

EXHIBIT E COLLY

The Times of India Newspaper,
dated 28th January 2021

Printed from
THE TIMES OF INDIA

Dhirio claims another bull's life

TNN | Jan 28, 2021, 04.06 AM IST

Mapusa: Within two weeks of a bull dying in a violent bullfight in Mandrem, another one lost its life in a gory incident in the same northern village Wednesday morning.
Sources say that some secluded paddy fields in the coastal village of Mandrem have become a hotbed for bullfights in the state. Fighter bulls are brought not only from North Goa but also from south and Maharashtra's Sindhudurg district for bullfights that are organised early in the morning.

Mandrem has become popular for the banned sport as fans touch Mandrem at 5.30am even from South Goa to watch the fights. The terrain - open fields in hinterland Mandrem – are seen suitable for organising bullfights

On Wednesday, two fighter bulls – one from Parra and the other from Sindhudurg – were engaged in a bullfight in a remote part of Mandrem. In the intense fight, the bull from Kudal got the better of his rival and the Parra bull lost his life. The bull from Maharashtra also sustained injuries.

The police filed a FIR against the owners of the two bulls. Prajyot Dnyaneshwar Masurkar, a resident of Parra, and Ajim Abdulla Mujawar of Kudal, Sindhudurg, have been placed under arrest, said police inspector incharge of Pernem police station Jivba Dalvi. An offence under Section 429 read with 34 of the IPC and Section 11 (m) (ii) (n) of Prevention of Cruelty to Animals Act was registered by the police.

Two persons were arrested after one bull died earlier this month at Mandrem.

The Times of India newspaper,
dt. 05th February, 2021

Printed from
THE TIMES OF INDIA

PFA seeks probe into 4 dhirios over weekend

Feb 5, 2021, 05.06 AM IST

Panaji: People For Animals (PFA) Goa has written to the director general of police (DGP) seeking investigation into the four dhirios (bullfighting events) in Utorda over the weekend.

The letter stated that a bullfight event was held in Utorda, on February 2, during which the losing bull was harassed to keep fighting and "considering the high betting averages the fight was not stopped, even when the bull was retreating," leading to the frightened bull running across the fields towards the railway crossing.

The rail crossing was, however, closed since a train was expected to shortly pass. The frightened bull then rammed against the yellow metal barrier "completely twisting and damaging it and was severely injured" in the process, the letter stated.

There is no information on whether the bull was given treatment and whether it survived the injuries.

PFA stated that the four bullfight events in Utorda were attended by several people, and involved "large sums of monetary betting". PFA said that the incidents were illegal and need to be investigated.

The letter has also been marked to Verna police station and the South Goa district collector, besides the DGP.

Dhirios were banned by the high court in 1997 to prevent cruelty to animals.

The Times of India newspaper,
dt. February 19, 2021

Printed from
THE TIMES OF INDIA

Goa: With over 30 bullfights in six weeks, welfare org seeks action

TNN | Feb 19, 2021, 04.33 AM IST

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"This is both an alarming and an unprecedented trend. The practice of dhirio is illegal as per the Prevention of Cruelty to Animals Act, 1960 (PCA). Moreover, the practice was banned by the high court of Bombay at Goa in 1997," the complaint signed by PFA president and advocate Norma Alvares reads. It also states that despite more than 20 years of the court order, the illegal practice of dhirio continues openly across Goa.

The complaint has also been addressed to the director general of Goa Police (DGP), Mukesh Kumar Meena, the director of animal husbandry and veterinary services, Kuldeep Singh Gangar and the district collector, South Goa - Ruchika Katyal, asking for immediate steps to ban all types of animal fights, including dhirios.

"At no other police station in Goa are so many dhirio cases being reported. Even we are getting several complaints from residents of Colva besides Benaulim and Varca of such incidents taking place frequently," said Alok Hisarwala Gupta, a legal associate with PFA.

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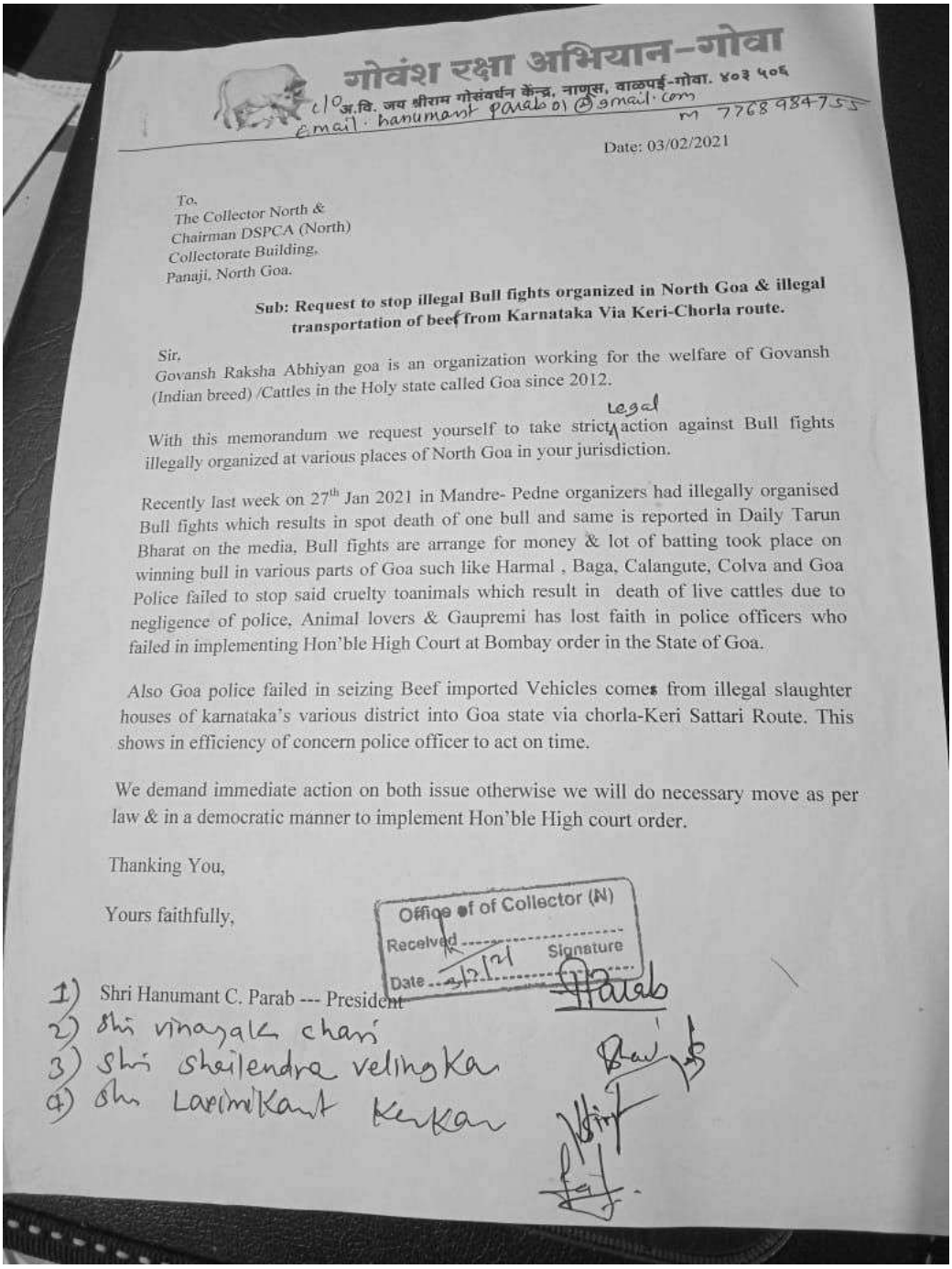
EXHIBIT F COLLY



गोवंश रक्षा अभियान-गोवा

c/o अ.वि. जय श्रीराम गोसंवर्धन केंद्र, नाणूस, वाळपई-गोवा. ४०३ ५०६

email: hanumant parab01@gmail.com m 7768984755

Date: 03/02/2021

To,
The Collector North &
Chairman DSPCA (North)
Collectorate Building,
Panaji, North Goa.

Sub: Request to stop illegal Bull fights organized in North Goa & illegal transportation of beef from Karnataka Via Keri-Chorla route.

Sir,
Govansh Raksha Abhiyan goa is an organization working for the welfare of Govansh (Indian breed) /Cattles in the Holy state called Goa since 2012.

With this memorandum we request yourself to take strict legal action against Bull fights illegally organized at various places of North Goa in your jurisdiction.

Recently last week on 27th Jan 2021 in Mandre- Pedne organizers had illegally organised Bull fights which results in spot death of one bull and same is reported in Daily Tarun Bharat on the media. Bull fights are arrange for money & lot of batting took place on winning bull in various parts of Goa such like Harmal , Baga, Calangute, Colva and Goa Police failed to stop said cruelty toanimals which result in death of live cattles due to negligence of police, Animal lovers & Gaupremi has lost faith in police officers who failed in implementing Hon'ble High Court at Bombay order in the State of Goa.

Also Goa police failed in seizing Beef imported Vehicles comes from illegal slaughter houses of karnataka's various district into Goa state via chorla-Keri Sattari Route. This shows in efficiency of concern police officer to act on time.

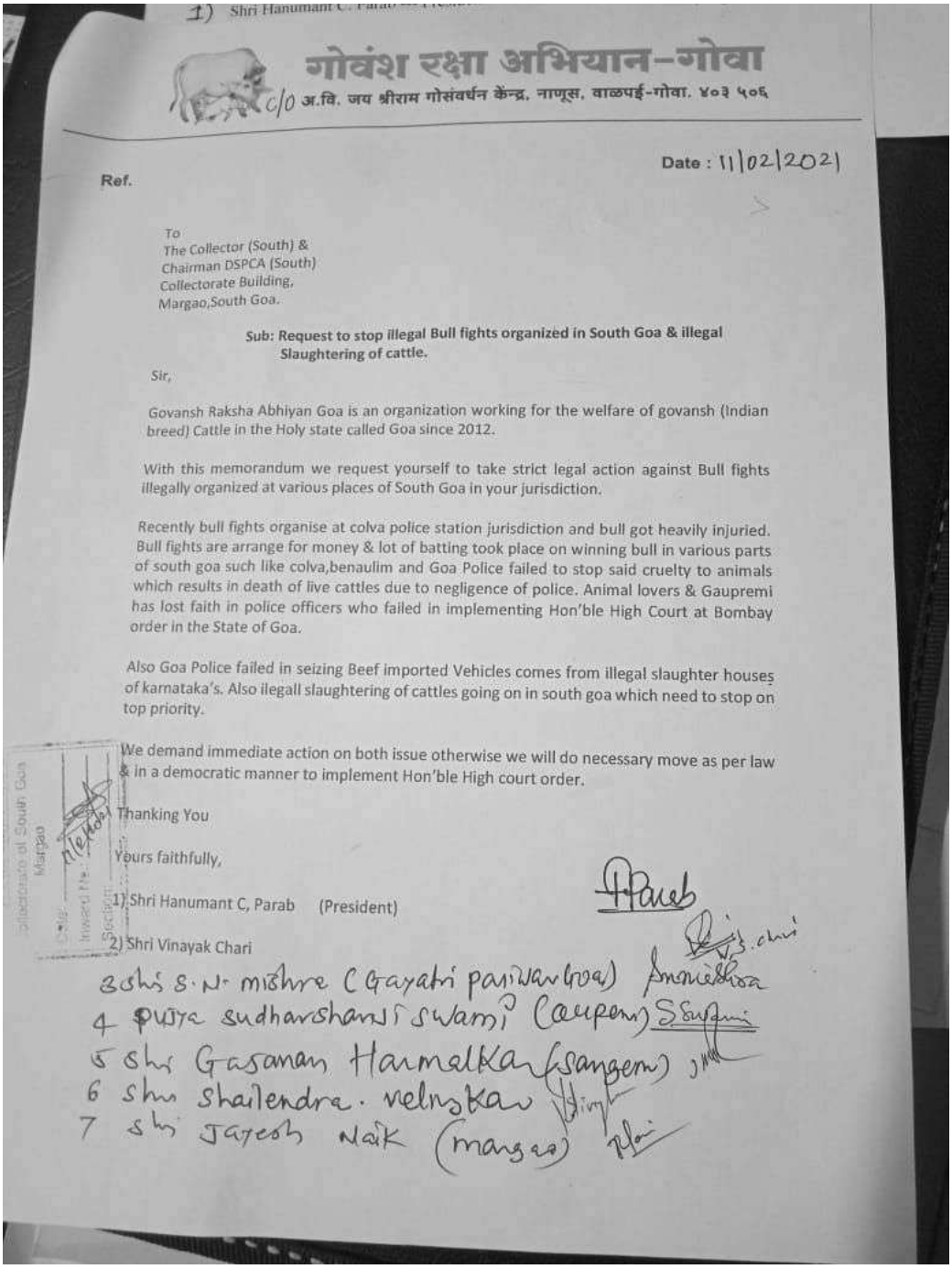
We demand immediate action on both issue otherwise we will do necessary move as per law & in a democratic manner to implement Hon'ble High court order.

Thanking You,

Yours faithfully,

Office of Collector (N)
Received
Date 3/2/21 Signature

1) Shri Hanumant C. Parab --- President
2) Shri Vinayak Chari
3) Shri Shailendra Velingkar
4) Shri Laxmikant Kenkar



1) Shri Hanumant C. Parab ... (President)

गोवंश रक्षा अभियान-गोवा

c/o अ.वि. जय श्रीराम गोसंवर्धन केन्द्र, नाणूस, वाळपई-गोवा. ४०३ ५०६

Ref.

Date : 11/02/2021

To
The Collector (South) &
Chairman DSPCA (South)
Collectorate Building,
Margao,South Goa.

Sub: Request to stop illegal Bull fights organized in South Goa & illegal Slaughtering of cattle.

Sir,

Govansh Raksha Abhiyan Goa is an organization working for the welfare of govansh (Indian breed) Cattle in the Holy state called Goa since 2012.

With this memorandum we request yourself to take strict legal action against Bull fights illegally organized at various places of South Goa in your jurisdiction.

Recently bull fights organise at colva police station jurisdiction and bull got heavily injuried. Bull fights are arrange for money & lot of batting took place on winning bull in various parts of south goa such like colva,benaulim and Goa Police failed to stop said cruelty to animals which results in death of live cattles due to negligence of police. Animal lovers & Gaupremi has lost faith in police officers who failed in implementing Hon'ble High Court at Bombay order in the State of Goa.

Also Goa Police failed in seizing Beef imported Vehicles comes from illegal slaughter houses of karnataka's. Also ilegall slaughtering of cattles going on in south goa which need to stop on top priority.

We demand immediate action on both issue otherwise we will do necessary move as per law & in a democratic manner to implement Hon'ble High court order.

Thanking You

Yours faithfully,

1) Shri Hanumant C, Parab (President)

2) Shri Vinayak Chari

3 shri S.N. mishre (Gayatri parivar Goa)

4 pujya sudharshanji swamiji (Canpem)

5 shri Gasanan Harmalkar (Sangem)

6 shri Shailendra. velingkar

7 shri Jayesh Naik (margao)

EXHIBIT G COLLY

People for Animals – Goa

Society Registration No.46/Goa/99
Recognised by Animal Welfare Board of India and Government of Goa as Animal Welfare Organization.
Registered Address: G-8, St Britto's Apartments, Feira Alta, Mapusa 403 507 Goa, India. Tel.: 2256479
Animal Shelters : ► Shantinagar, Vasco. Tel.: 2532514. ► Curti, Ponda. Tel.: 3207920

Date: January 25th, 2020

To,

1. The Chief Secretary, Government of Goa
2. Joint Police Commissioner,
3. Secretary, Animal Husbandry Department
4. DC, North Goa SPCA
5. DC, South Goa SPCA

Subject: Seeking Immediate Police Action against widespread pattern of Dhirio (bull fighting) events across Goa

Dear Madam and Sir,

I am writing to you from People for Animals (PFA) - Goa. As you know PFA-Goa, founded in 1996 is the first animal welfare organisation to be registered in the State of Goa and has a long record of working for welfare of animals.

We are writing this letter with great concern that even after 25 years of a prevailing ban on *Dhirio*, bull fights have continued across Goa and the practice appears to be on the rise. To apprise you of the gravity of the situation we are referring to two recent news reports from Times of India, Goa edition:

i. **9th August 2020:** *"Over the past weekend, sources said that at least seven dhirios were held in various places along the coastal belt — Pedda-Benaulim, Per-Seraulim, Fatrade and neighbouring villages — with hundreds of spectators cheering the raging bulls. Though these duels last for up to two hours, police failed to reach the venue on time, as it usually happens."*

ii. **19th January 2021:** *"Over the weekend and spilling over this week too, bull owners and bullfight (dhirio) lovers in Colva had a gala time watching the animals engage in the gory sport. Colva police, on the other hand, were seemingly unaware of anything. On January 16 and 17, bullfights were held in Seraulim."* (Both news reports are attached with this letter as **Annexure A1 and A2**.)

At PFA we are in receipt of many complaints from concerned residents across Goa of *dhirio* events taking place on a daily basis. The majority of the complaints received by us in the last few months concern daily fights happening in Benaulim-Varca fields – but it is our understanding that the true scale of bull fights is much more widespread.

On 22nd October 2020, a bull was a fatal victim of a *Dhirio* event in Benaulim. Based on the police complaint filed by PFA, the accused in this case were arrested. PFA has also recently lodged police complaints against reported *Dhirio* events in Chandor and Curtorim. All the complaints are duly filed before the police stations, and PFA has maintained record copies of the same. One such complaint from the Colva-Benaulim Dhirio event is attached with this letter as **Annexure B**.

Due to poor lack of enforcement of the *Dhirio* ban, there appears to be a fearless display of bulls being trained for *Dhirio*, and records of fights are published regularly across many social media platforms. We have documented certain profiles/groups on Facebook and Social Media, and just a preview of the recent activities on these groups confirms widespread, weekly occurrence of *Dhirio* in Goa. Some of the social media records that we have found are:

1. Facebook Groups:
    a. **Cenaboys Bullfighting Goa** (Public Group with 706 members): Around ten vidoes of different live *Dhirio* events has been posted in this group just in the month of January 2021. https://www.facebook.com/groups/597482247717431
    b. **Bullsfight Goa Official** (Publig Group with 2800 members): https://www.facebook.com/BullFight-Goa-Official-349119838621913
    c. **Bullfights Goa** (Private Group 6.5k members): Several daily/weekly posts of bull fights. https://www.facebook.com/groups/1429547913731648
    d. **Goan Bullfight DHIRIYO lovers** (Public Group 1.2k members): Active group with several weekly posts/videos of live bull fights across Goa. https://www.facebook.com/groups/689884555260909
    e. **Goan BullsFight** (PrivateGroup with 3.6k members): The group is primarily used to advertise trade of bulls bred for *Dhirio.* https://www.facebook.com/groups/1333375863521954
2. Instagram Profiles:
    a. **goan_bullfight_lover** (Over 1600 followers, started in May 2020 with 470 posts with pictures and videos of bull fights, and bulls for sale.)
    b. goan_dhirio_official (442 followers, started on 14th Jan 2021, with 44 posts of bulls and fight preps with pictures and videos.)
    c. goan_bull_fight (292 followers, started on 14th Jan 2021, with 24 posts of bulls and fight preps with pictures and videos.)
    d. bull_fight_champs_of_goa (1050 followers, started on 19th February 2020 with 131 posts of bulls and bull fights).
    e. _goan_bull_fight_lovers_ (239 followers, started on 6th April 2020 with 105 posts of bulls and fights.)

All of the above social media activity appears to be recent and is only meant to be a representative account of the actual scale of *dhirio* fights, which may be much more widespread.

Dhirio – where two bulls are made to fight with each other is illegal as per the section 11 (m) Prevention of Cruelty to Animals Act, 1960 (PCA). *Dhirio* was further banned by the Hon'ble High Court of Goa in the *People for Animals v Sate of Goa* case in 1997, as against the provisions of PCA. (1997 (4) Bom CR 271). The High Court has clearly stated that:

> *"The bull fights or 'dhirios' are in contravention of the provisions of the said* (PCA)*Act &, therefore, illegal & cannot be permitted to be organized. The respondents are, therefore, directed to take immediate steps to ban all types of animal fights including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms."*

Fighting with other bulls, is not a natural behaviour for a bull. Bulls are compelled to fight with each other by goading by crowds, by applying of irritants in their eyes and pulling and pushing their tales to get them agitated and frightened. *Dhirio* has no historic traditional roots in Goan society, and has in fact become extremely popular – despite its illegality- because of

commercialization and betting. Large amounts of money is traded in every *Dhirio* event, leading to their recurrence and prevalence across Goa. The process of training and fighting for the bull is extremely cruel and always leads to one bull being fatally injured or killed.

In the 1997 Judgement the Hon'ble High Court of Goa also made the following significant observations regarding the need for an active enforcement of the ban:
"The enactment of the law to prevent cruelty to the animals is not an end in itself. What is more important is the implementation of that Act and to see to it that the activities which are prohibited under the said Act do not take place in the State & in case of infringement of the provisions of the said Act, to take strict action against the offenders. It cannot be disputed that all animals are born with an equal claim for life without any cruelty to them. Perhaps if this right was given proper recognition by the human-beings, there would have been no necessity to bring on the statute book the said Act. ***Unfortunately, even though the said Act has been brought in force in the State, still there appears to be either lack of courage or wilful negligence on the part of the respondents to implement the provisions of the said Act."***

PFA had approached the Hon'ble High Court of Goa in 2015 to highlight the contempt of the 1997 judgement because of reports of *Dhirio* in Pernem District, following which prohibitory orders dated 29th February 2016 were issued to the concerned District Collector (North), and Pernem Police Station. We fear that such orders are only act as temporary deterrents and the practice has been resumed robustly, in full disregard of the law.

In addition, the issue of Dhirio is celebrated as a customary tradition of the Goan people. Recently – on 14th January 2021 - a song called *Dhirio Goenkaranchi Porompara* has been released by Terence De Arambol, celebrating the illegal and cruel practice of bull rights under the guise of customary tradition. The video of the song can be accessed: https://www.youtube.com/channel/UCzcmC8OhBdRdvwlrtLRloZg.

While we respect tradition and the right of Goan people to hold on to their traditional values, *Dhirio*, needs to be examined strictly under the provisions of the law, the High Court judgement and our collective constitutional duty to show compassion to all living creatures.

It is critical that cases of bull fights/*dhirios* are investigated on a war footing. Research has shown that people who wilfully abuse animals are at statistically significant risk for committing physically and emotionally violent acts against humans too.

In addition we need a state wide campaign to educate people across Goa of the cruelty involved in *Dhirio*. Finally, *Dhirio* is supported by a thriving culture of breeding bulls for fights, the practice cannot be closed unless bulls specifically bred for fights are rescued and rehabilitated.

We request you to take appropriate action both on the front of enforcement of the law but also to build a constructive dialogue through campaigns and social media messaging to educate people of the ills associated with *dhirio*.

Sincerely,

Norma Alvares, People For Animals, Goa

NORMA ALVARES, ADVOCATE

Date: February 15th, 2021

To,

1. Shri Parimal Rai,
   The Chief Secretary,
   Government of Goa,
   Secretariat, Porvorim, Goa
2. Shri. Mukesh Kumar Meena,
   Director General of Police,
   Goa Police Headquarters,
   Near Azad Maidan, Panaji, Goa
3. Shri. Kuldeep Singh Gangar,
   Director, Animal Husbandry and Veterinary Services,
   Secretariat, Porvorim, Goa
4. Shri Ajit Roy
   Collector & District Magistrate,
   (Additionally) North District,
   Society for Prevention of Cruelty to Animals, Panaji, Goa
5. Ms. Ruchika Katyal, IAS,
   District Collector, South Goa,
   Head of South District SPCA,
   Matanhy Saldanha Administrative Complex,
   Margao, South Goa District, Goa 403601

Subject: Legal Notice on Contempt of Court for wilful disobedience and non-compliance of the order of the Bombay High Court at Goa dated 20.12.1996 prohibiting *Dhirio* / bull fights

Dear Madam / Sir,

I am writing to you on behalf of People for Animals-Goa (PFA) an animal welfare organisation that had taken up the repeated occurrence of bull-fights (*Dhirio*) in tGoa vide a public interest litigation filed in the Bombay High Court at Goa, more than two decades ago.

In its detailed judgement dated 20th December 1996, the Hon'ble High Court had prohibited bull-fights from being organised as they are a cruel sport and cause immense pain and suffering to the animals and are therefore *per se* in violation of the Prevention of Cruelty to Animals Act, 1960. **(*People for Animals v State of Goa* (1997 (4) Bom CR 271)).** The Hon'ble Apex Court dismissed the appeal filed by the Bull-Owners Association and upheld the High Court order.

The Hon'ble High Court of Goa had directed as follows:

> *"The bull fights or 'dhirios' are in contravention of the provisions of the said* (PCA) *Act &, therefore, illegal & cannot be permitted to be organized. The respondents are,*

therefore, directed to take immediate steps to ban all types of animal fights including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms."

With strict enforcement from the authorities, the practice of regular bull fights stopped within a few years. However, there were occasions when, goaded by politicians who tacitly or overtly encouraged bullfights as being part of Goan culture, *dhirios* did take place. On two occasions, in 2006 and in 2015, the PFA approached the Hon'ble High Court invoking its contempt jurisdiction to ensure that recurring *dhirio* events are investigated and put an end to. Upon receiving assurances from the authorities that they would be vigilant, the High Court disposed of the contempt petitions, directing enforcement of the prohibitory orders and urged that a larger, dedicated police force be made available to ensure that bull fighting is stopped and prevented altogether.

The PFA is constrained to return to the High Court once again in view of the recent unprecedented increase in bull fights in the state, commencing sometime during the Covid lockdown. Since then, and especially in the past few months, the organization of *dhirios* has become a daily occurrence in some villages in Goa – notably in Colva, Utorda, Benaulim and Varca in South Goa and Mandrem in North Goa – with several bull-fights being held on the same day, one after the other. These bull fights are held in front of vast crowds and it is impossible that the police are unaware of the same. Many of these fights have resulted in fatal injuries to the animals, including the death of some of the bulls. Unfortunately, as there has been scarcely any effort on the part of the Government and the police to rein in this abominable practice, people have become emboldened, and it seems that they have even forgotten that the organisation of *dhirios* is prohibited by law and specifically by the Courts as well.

A list of some of the recent bullfight events is presented in tabular form at **Annexure A**.

The newspapers too have been reporting incidents of bull fights and we annex copies of some of these clippings at **Annexure B colly**

The PFA has complained regularly to the authorities whenever they have come to know of the same. We have also drawn to the attention of the authorities that there exist avenues for popularizing the *dhirio* events on Facebook and Social Media, all of which appear to be recent. A list of the Facebook Groups and Instagram Profiles is at **Annexure C.**

.

Recently – on 14th January 2021 – a song called *Dhirio Goenkaranchi Porompara* has been released by Terence De Arambol, celebrating the illegal and cruel practice of bull rights under the guise of customary tradition. The video of the song can be accessed: https://www.youtube.com/channel/UCzcmC8OhBdRdvwlrtLRloZg.

Needless to add, there is large scale betting and gambling which accompanies the *dhirios*, which, in fact, makes it possible and profitable for bull-owners to organize these events regularly.

The issue of the regular occurrence of *dhirios* in Goa was raised by the PFA at the recent meeting of the Goa State Board for Animal Welfare, held on 10th February 2021, chaired by the Hon'ble Chief Minister, who directed the authorities to take appropriate action to prevent

these events. In addition to whatever steps you may be taking to implement the CM's directives, we suggest the following:

i. Set up a dedicated team of officers to investigate the regular occurrence of *dhirios* – who are the organizers and the places where these are being held?
ii. Issue notices to the owners of the properties on which *dhirio* events take place, if the illegal activity is found taking place on their lands.
iii. Conduct a survey of the bulls used in *dhirios* and the names of their owners.
iv. Launch a state wide campaign with advertisements in newspapers, radio and TV to inform people that *dhirios* are illegal activities.
v. Penalise those found violating the High Court's order in an appropriate manner.

Please treat this letter as notice of the PFA's intent to file a contempt petition against you, if the occurrence of bullfights/*dhirios* is not halted at the soonest.

Sincerely

Norma Alvares
Advocate

People for Animals – Goa

Society Registration No.46/Goa/99
Recognised by Animal Welfare Board of India and Government of Goa as Animal Welfare Organization.
Registered Address: G-8, St Britto's Apartments, Feira Alta, Mapusa 403 507 Goa, India. Tel.: 2256479
Animal Shelters : ► Shantinagar, Vasco. Tel.: 2532514. ► Curti, Ponda. Tel.: 3207920

Date: February 18th, 2021

To,

1. Mr. Melson Colaco, PI
   The Senior Police Inspector,
   Colva Police Station,
   Colva, Bardez, Goa

2. Shri. Mukesh Kumar Meena,
   Director General of Police,
   Goa Police Headquarters,
   Near Azad Maidan, Panaji, Goa

3. Shri. Kuldeep Singh Gangar,
   Director, Animal Husbandry and Veterinary Services,
   Secretariat, Porvorim, Goa

4. Ms. Ruchika Katyal, IAS,
   District Collector, South Goa,
   Head of South District SPCA,
   Matanhy Saldanha Administrative Complex,
   Margao, South Goa District, Goa 403601

Subject: Request to register a Police Complaint and conduct an immediate investigation of a violent and near-fatal incident of *dhirio* (bull fighting) in Benaulim

Dear Madam and Sir,

I am writing to you from People for Animals (PFA) - Goa. As you know PFA-Goa, founded in 1996 is the first animal welfare organisation to be registered in the State of Goa and has a long record of working for welfare of animals.

We are writing to report a criminal incident involving animal cruelty. On 16th FEBRUARY, some people organized a bull fight - which is also popularly known *as Dhirio*, and one of the bulls was brutally attacked and almost killed, however it survived in the end. The incident took place in the Benaulim fields area. Kindly see the images of the bull fight leading to the death of one bull as **Annexure A**.

It is alarming that more than 30 different Dhirio incidents have been reported to have taken place in the Colva Police Jurisdiction just in 2021, i.e. less than six weeks, at an average of more than five bull fights per week just in Colva. This is both an alarming and unprecedented trend.

The practice of *Dhirio* is illegal as per the Prevention of Cruelty to Animals Act, 1960 (PCA). Moreover, the practice of *dhirio* was banned by the Hon'ble High Court of Goa in the *People for Animals v Sate of Goa* case in 1997, as against the provisions of PCA. (1997 (4) Bom CR 271). This

decision has also been upheld by the Hon'ble Supreme Court of India. The High Court of Goa, in 1997, has clearly stated that:

"The bull fights or 'dhirios' are in contravention of the provisions of the said (PCA)*Act &, therefore, illegal & cannot be permitted to be organized. The respondents are, therefore, directed to take immediate steps to ban all types of animal fights including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms."*

Despite more than 20 years of this order, for lack of enforcement, the illegal practice of *Dhirio* continues openly, across Goa. Fighting with other bulls, is not a natural behaviour for a bull. Bulls are compelled to fight with each other by goading by crowds, by applying of irritants in their eyes and pulling and pushing their tales to get them agitated and frightened. *Dhirio* has no historic traditional roots in Goan society, and has in fact become extremely popular – despite its illegality- because of commercialization and betting. Large amounts of money is traded in every *Dhirio* event, leading to their recurrence and prevalence across Goa. The process of training and fighting for the bull is extremely cruel and always leads to one bull being fatally injured or killed.

To put an end to this menace, it is critical that cases of bull fights/*dhirios* are investigated on a war footing. Bull fights that lead to killing or maiming of animals is a criminal offence both under the Prevention of Cruelty to Animals Act, 1960 and the Indian Penal Code, 1860.

A) Under **11 (a)** (Prevention of Cruelty to Animals Act, 1960 anyone who beats, kicks, over-rides, over-drives, over-loads, **tortures or otherwise treats any animal so as to subject it to unnecessary pain or suffering or causes**, or being the owner permits, any animal to be so treated; or commits an offence of animal cruelty.

B) **Section 11 (l)** (Prevention of Cruelty to Animals Act, 1960 anyone who "*mutilates any animal or kills any animal (including stray dogs) by using the method of strychnine injections, in the heart* ***or in any other unnecessarily cruel manner****;"* commits an offence of animal cruelty.

C) **Section 11 (l)** (Prevention of Cruelty to Animals Act, 1960 "*anyone who organises, keeps uses or acts in the management or, any place for animal fighting or for the purpose of baiting any animal or permits or offers any place to be so used or receives money for the admission of any other person to any place kept or used for any such purposes"*

This current case on facts falls squarely within the ambit of Sections 11(a), (l) and (n) of PCA, as an act of torture, and an attempt to mutilate or kill the an animal and organising of animal fighting events.

D) Further under **Section 428 and 429** of the Indian Penal Code, **punishes maiming and killing of any animal**.

Section 428: *Whoever commits mischief by killing, poisoning, maiming or rendering useless any animal or animals of the value of ten rupees or upwards, shall be punished with imprisonment of either description for a term which may extend to two years, or with fine, or with both.*

> **Section 429:** *Whoever commits Mischief by killing or maiming cattle, etc., of any value or any animal of the value of fifty rupees. 429. Mischief by killing or maiming cattle, etc., of any value or any animal of the value of fifty rupees.--Whoever commits mischief by killing, poisoning,* ***maiming*** *or rendering useless, any elephant, camel, horse, mule, buffalo, bull, cow or ox, whatever may be the value thereof,* ***of any other animal*** *of the value of fifty rupees or upwards, shall be punished with imprisonment or either description for a term which may extend to five years, or with fine, or with both.*

Research has shown that people who wilfully abuse animals are at statistically significant risk for committing physically and emotionally violent acts against humans too. The recurrence of dog poisoning indicates a culture of violence against animals, that is dangerous for animals and humans, alike, and must be nipped in the bud, at once.

In the 1997 Judgement the Hon'ble High Court of Goa also made the following significant observations regarding the need for an active enforcement of the ban: *"The enactment of the law to prevent cruelty to the animals is not an end in itself. What is more important is the implementation of that Act and to see to it that the activities which are prohibited under the said Act do not take place in the State & in case of infringement of the provisions of the said Act, to take strict action against the offenders*.

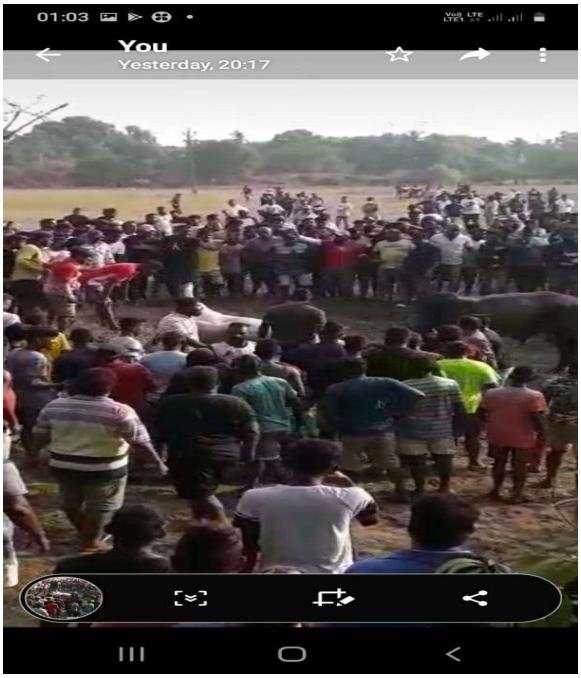
It cannot be disputed that all animals are born with an equal claim for life without any cruelty to them. Perhaps if this right was given proper recognition by the human-beings, there would have been no necessity to bring on the statute book the said Act. ***Unfortunately, even though the said Act has been brought in force in the State, still there appears to be either lack of courage or wilful negligence on the part of the respondents to implement the provisions of the said Act."***

We request you to register a police complaint and initiate an investigation at once.

Sincerely,

Norma Alvares, People For Animals, Goa

ANNEXURE A
(PICTURES OF THE BULL FIGHT IN COLVA ON 16TH FEBRUARY 2021)


01:03
You
Yesterday, 20:17

People for Animals – Goa

Society Registration No.46/Goa/99
Recognised by Animal Welfare Board of India and Government of Goa as Animal Welfare Organization.
Registered Address: G-8, St Britto's Apartments, Feira Alta, Mapusa 403 507 Goa, India. Tel.: 2256479
Animal Shelters : ► Shantinagar, Vasco. Tel.: 2532514. ► Curti, Ponda. Tel.: 3207920

Date: August, 9th, 2021

To,
The Senior Police Inspector,
Verna Police Station,
Verna, Sacette, Goa

Subject: Request to register a Police Complaint and take immediate steps to investigate and prevent the Dhirio (Bull Fight) events taking place in Cansaulim

Dear Sir,

I am writing to you from People for Animals (PFA) - Goa. As you know PFA-Goa, founded in 1996 is the first animal welfare organisation to be registered in the State of Goa and has a long record of working for welfare of animals.

We are getting reports of regular, almost daily, *dhirio*, bull fighting events taking place in Cansaulim under the jurisdiction of Verna Police Station. For example just in the last three days there have been more than four dhirio fights in Cansaulim alone that have been reported to us:

1. At 5.30 pm on 7th August, a dhirio event took place in Dabashree Ground, Cansaulim.

2. Again at 3.00 pm on 8th August, a dhirio event took place Dabashree Ground, Cansaulim.

3. At 3.00 pm and 4.00 pm, today on 9th August two separate dhirio bull fights have taken place between bulls named as "Foreigner" and "Mavali" and another fight between bulls Rickshakar and Hareaband. By 112, we have filed a complaint reference number 84044. However, no action has been taken.

The practice of *Dhirio* is illegal as per the Prevention of Cruelty to Animals Act, 1960 (PCA).Moreover, the practice of *dhirio* was banned by the Hon'ble High Court of Goa in the *People for Animals v Sate of Goa* case in 1997, as against the provisions of PCA. (1997 (4) Bom CR 271). This decision has also been upheld by the Hon'ble Supreme Court of India. The High Court of Goa, in 1997, has clearly stated that:

"The bull fights or 'dhirios' are in contravention of the provisions of the said (PCA)*Act &, therefore, illegal & cannot be permitted to be organized. The respondents are, therefore, directed to take immediate steps to ban all types of animal fights including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms."*

Fighting with other bulls, is not a natural behaviour for a bull. Bulls are compelled to fight with each other by goading by crowds, by applying of irritants in their eyes and pulling and pushing their tales to get them agitated and frightened. The process of training and fighting for the bull is extremely cruel and always leads to one bull being fatally injured or killed.

To put an end to this menace, it is critical that cases of bull fights/*dhirios* are investigated on a war footing. Bull fights that lead to killing or maiming of animals is a criminal offence both under the Prevention of Cruelty to Animals Act, 1960 and the Indian Penal Code, 1860.

We request you to register a police complaint and initiate an investigation at once.

Sincerely,

Norma Alvares, People For Animals, Goa

Annexures

FOREIGNER
VS
MAVALI

People for Animals – Goa

Society Registration No.46/Goa/99
Recognised by Animal Welfare Board of India and Government of Goa as Animal Welfare Organization.
Registered Address: G-8, St Britto's Apartments, Feira Alta, Mapusa 403 507 Goa, India. Tel.: 2256479
Animal Shelters : ► Shantinagar, Vasco. Tel.: 2532514. ► Curti, Ponda. Tel.: 3207920

Date: August, 9th, 2021

To,
The Senior Police Inspector,
Colva Police Station,
Colva, Bardez, Goa

Subject: Request to register a Police Complaint and take immediate steps to prevent the Dhirio (Bull Fight) event proposed on August 14th

Dear Sir,

I am writing to you from People for Animals (PFA) - Goa. As you know PFA-Goa, founded in 1996 is the first animal welfare organisation to be registered in the State of Goa and has a long record of working for welfare of animals.

We are getting reports of regular, almost daily, *dhirio*, bull fighting events taking place in Seraulim, Benaulim, Varca and other adjoining areas under the jurisdiction of Colva Police Station. For example:

1. At 4.30 pm on 12h July, a dhirio event took place near Patem, Majorda.

2. At 2.00 pm on 13th July, a dhirio event took place near St. John Baptist Church in Benaulim, at 2pm.

3. At 4.00 pm on 25th July, another dhirio event took place in Seraulim, Colva.

In all of these cases concerned citizens, and local animal welfare and protection activists have filed complaints with your police station. However, no action has been taken.

We are now shocked to learn that on August 14th to commemorate the birthday of a relative of a prominent local politician five dhirio events have been fixed in Fartade, Varca. We request your urgent attention and action to investigate and stop these events from taking place.

The practice of *Dhirio* is illegal as per the Prevention of Cruelty to Animals Act, 1960 (PCA).

Moreover, the practice of *dhirio* was banned by the Hon'ble High Court of Goa in the *People for Animals v Sate of Goa* case in 1997, as against the provisions of PCA. (1997 (4) Bom CR 271). This decision has also been upheld by the Hon'ble Supreme Court of India. The High Court of Goa, in 1997, has clearly stated that:

"The bull fights or 'dhirios' are in contravention of the provisions of the said (PCA)*Act &, therefore, illegal & cannot be permitted to be organized. The respondents are, therefore, directed to take*

immediate steps to ban all types of animal fights including bull fights and 'dhirios' in the State of Goa and to see to it that the direction is fully complied with in letter and spirit which the Act seeks to achieve. Rule made absolute accordingly in aforesaid terms."

Fighting with other bulls, is not a natural behaviour for a bull. Bulls are compelled to fight with each other by goading by crowds, by applying of irritants in their eyes and pulling and pushing their tales to get them agitated and frightened. The process of training and fighting for the bull is extremely cruel and always leads to one bull being fatally injured or killed.

To put an end to this menace, it is critical that cases of bull fights/*dhirios* are investigated on a war footing. Bull fights that lead to killing or maiming of animals is a criminal offence both under the Prevention of Cruelty to Animals Act, 1960 and the Indian Penal Code, 1860.

We request you to register a police complaint and initiate an investigation at once.

Sincerely,

Norma Alvares, People For Animals, Goa

NORMA ALVARES, ADVOCATE

Address: G-8, ST. BRITTOS APTS, FEIRA ALTA MAPUSA 403 507 GOA

LEGAL NOTICE FOR CONTEMPT

To, Date: August 16th 2021

1. Shri Parimal Rai,
   The Chief Secretary, Government of Goa, Secretariat, Porvorim, Goa
2. Shri. Mukesh Kumar Meena, Director General of Police,
   Goa Police Headquarters,
   Near Azad Maidan, Panaji, Goa
3. Shri. Kuldeep Singh Gangar,
   Secretary, Department of Animal Husbandry and Veterinary Services,
   Secretariat, Porvorim, Goa
4. Dr Agostinho Misquita,
   Director, Directorate of AH&VS,
   Patto, Panaji
5. Shri Ajit Roy
   Collector & District Magistrate,
   (Additionally) North District,
   Society for Prevention of Cruelty to Animals, Panaji, Goa
6. Ms. Ruchika Katyal, IAS,
   District Collector, South Goa,
   Head of South District SPCA,
   Matanhy Saldanha Administrative Complex, Margao, South Goa District, Goa 403601

Subject: Final Legal Notice on Contempt of Court for wilful disobedience and non-compliance of the order of the Bombay High Court at Goa dated 20.12.1996 prohibiting *Dhirio* / bull fights

Dear Madam/Sir,

Please refer to our legal notice dated 25th February 2021, and several letters before and after that from People for Animals, Goa seeking your urgent attention to enforce the legal ban against bullfighting in Goa. It is common knowledge that by the judgement dated 20th December 1996 of the Hon'ble High Court of Bombay at Goa bull-fights are prohibited as cruel to animals.

Despite the prohibition in law and our repeated appeals, there appears to be no seriousness from the authorities to enforce the legal ban against bullfighting. We are flooded with citizen complaints, especially from Salcette, particularly from village panchayat Cansaulim, Verna, Benaulim, Varca, and Colva that bull fights – dhirio, are taking place daily.

Just in the past few days we have recorded several dhirio incidents, a few of which are listed below:

1. At 4.30 pm on 12h July, a dhirio event took place near Patem, Majorda.
2. At 2.00 pm on 13th July, a dhirio event took place near St. John Baptist Church in Benaulim, at 2pm.
3. At 4.00 pm on 25th July, another dhirio event took place in Seraulim, Colva.
4. At 5.30 pm on 7th August, a dhirio event took place in Dabashree Ground, Cansaulim.

NORMA ALVARES, ADVOCATE

Address: G-8, ST. BRITTOS APTS, FEIRA ALTA MAPUSA 403 507 GOA

5. Again at 3.00 pm on 8th August, a dhirio event took place Dabashree Ground, Cansaulim.

6. At 3.00 pm and 4.00 pm, today on 9th August two separate dhirio bull fights have taken place between bulls named as "Foreigner" and "Mavali" and another fight between bulls Rickshakar and Hareaband. By 112, we have filed a complaint reference number 84044. However, no action has been taken.

Kindly note these are mere illustrative examples of incidents the real scale of which is much larger. As per our understanding an average 10-15 dhirio fights are taking place weekly in Salcette alone. In addition there are more clandestine dhirio events in Pernem in the North. It is common knowledge that the weekly winning bulls from local fights in the North and South Goa compete each other, in what becomes an all-state event.

All of this is taking place despite the strictures of the law. This is made possible only because the judgement of the Hon'ble Court has been wilfully disregarded, which is tantamount to contempt of Court. Please treat this letter as notice of the PFA's intent to file a contempt petition against you, if the occurrence of bullfights/*dhirios* is not halted at the soonest.

In addition to whatever steps you may take, we suggest the following additional action points that must be undertaken to effectively curb bullfights:

i. The State Government must set up a dedicated team of officers to investigate the regular occurrence of *dhirios*.
ii. Issue notices to the owners of the properties on which *dhirio* events take place, if the illegal activity is found taking place on their lands.
iii. Conduct a survey of the bulls used in *dhirios* and the names of their owners.
iv. All bulls being used for dhirio must be seized and transferred to Gaushalas.
v. Launch a state wide campaign with advertisements in newspapers, radio and TV to inform people that *dhirios* are illegal activities.
vi. Penalise those found violating the High Court's order in an appropriate manner.

Sincerely

Norma Alvares
Advocate, Bombay High Court at Goa

EXHIBIT H COLLY

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Pashusamvardhan Bhavan, Patto,
Panaji, Goa – 403 001, India.
Phone Nos.: +91 (0832) 2437245
Website : www.ahvs.goa.gov.in
Fax No.: +91 (0832) 2437244
E-mail: dir-ahvs.goa@nic.in

File No.14-9-AH/GSAWB/2020-21/Part/ 7317 Dated: - 05-03-2021

To,
The Superintendent of Police (South),
Margao - Goa.

Sub:- Bull Fights – Issue of directions to Sub Stations
Ref:- Legal Notice on Contempt of Court for willful disobedience of the Order of the Bombay High Court at Goa dated 20/12/1996 prohibiting Dhirio / Bull fights by Adv. Norma Alvares

Sir,

This is to bring to your kind attention of an alarming number of 'Bull Fights' being organized especially in Colva, Fatorda, Margao, Verna and other parts of South Goa.

'Bull Fights' which are organized for public entertainment and monetary (betting) benefits are in gross violation of the Prevention of Cruelty to Animal Act, 1960 under Section 11 (1) (m) & (n) and Bombay High Court at Goa Order dated 20/12/1996.

Accordingly, Adv. Norma Alvares has filed a legal Notice on Contempt of Court for willful disobedience and non compliance of the Order of the Bombay High Court at Goa dated 20/12/1996 prohibiting Dhirio / Bull fights.

Police Stations in such areas where bull fights are being organized are required to be much more vigilant and patrol the areas from early morning 06:00 a.m. onwards as a preventive measure and part of Law enforcement. The Bulls involved are required to be confiscated immediately at the site as per Law.

You are therefore requested to issue necessary instructions as above to all Police Stations in South Goa where these bull fights are being organized, for strict enforcement of the Prevention of Cruelty to Animals Act, 1960.

Yours faithfully,

5/3/2021

(Dr. Agostinho Misquita)
Director (AH)

Copy to:
1) Ms. Ruchika Katyal, IAS, District Collector, South Goa, Chairman of District SPCA, Matanhy Saldanha Administrative Complex, Margao Goa.
2) Adv. Norma Alvares, G-8, St. Britto's Apartments, Feira Alta, Mapusa – Goa
3) Office Copy
4) Guard File

Government of Goa
Directorate of Animal Husbandry & Veterinary Services
Pashusamvardhan Bhavan, Patto,
Panaji, Goa – 403 001, India.
Phone Nos.: +91 (0832) 2437245
Website : www.ahvs.goa.gov.in
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E-mail: dir-ahvs.goa@nic.in

File No.14-9-AH/GSAWB/2020-21/Part/ 7318 Dated: - 05-03-2021

To,
The Superintendent of Police (North),
Porvorim, Bardez - Goa.

Sub:- Bull Fights – Issue of directions to Sub Stations

Ref:- Legal Notice on Contempt of Court for willful disobedience of the Order of the Bombay High Court at Goa dated 20/12/1996 prohibiting Dhirio / Bull fights by Adv. Norma Alvares

Sir,

This is to bring to your kind attention of an alarming number of 'Bull Fights' being organized especially in Pernem, Bardez and Tiswadi Taluka, besides other areas in North Goa.

'Bull Fights' which are organized for public entertainment and monetary (betting) benefits are in gross violation of the Prevention of Cruelty to Animal Act, 1960 under Section 11 (1) (m) & (n) and Bombay High Court at Goa Order dated 20/12/1996.

Accordingly, Adv. Norma Alvares has filed a legal Notice on Contempt of Court for willful disobedience and non compliance of the Order of the Bombay High Court at Goa dated 20/12/1996 prohibiting Dhirio / Bull fights.

Police Stations in such areas where bull fights are being organized are required to be much more vigilant and patrol the areas from early morning 06:00 a.m. onwards as a preventive measure and part of Law enforcement. The Bulls involved are required to be confiscated immediately at the site as per Law.

You are therefore requested to issue necessary instructions as above to all Police Stations in North Goa where these bull fights are being organized, for strict enforcement of the Prevention of Cruelty to Animals Act, 1960.

Yours faithfully,

5/3/2021

(Dr. Agostinho Misquita)
Director (AH)

Copy to:
1) Shri. Ajit Roy, Collector & District Magistrate, (Additionally) North District, Society for Prevention of Cruelty to Animals, Panaji, Goa
2) Adv. Norma Alvares, G-8, St. Britto's Apartments, Feira Alta, Mapusa – Goa
3) Office Copy